

THE STATE OF TEXAS  
VS.  
GABRIEL FLORES

CAUSE NO. 8794

IN THE 259TH DISTRICT  
COURT OF  
JONES COUNTY, TEXAS

JUDGMENT ON JURY VERDICT OF GUILTY  
PUNISHMENT FIXED BY COURT OR JURY - NO PROBATION GRANTED

Judge Presiding: QUAY F. PARKER

Date of Judgment: AUGUST 29, 2001

Attorney  
for State: BRITT THURMANAttorney for  
Defendant: ROBERT E. MCCOOL

Offense Convicted of:

COUNT ONE - MURDER

Section 19.02(b)(1) et seq. Texas Penal Code

Degree: 1ST degree

Date Offense

Committed: SEPTEMBER 16, 2000

Charging Instrument: INDICTMENT

Plea: NOT GUILTY

Jury Verdict: GUILTY AS CHARGED IN THE INDICTMENT

Plea to Enhancement Paragraph: NONE

Finding on Enhancement Paragraphs: NONE

Findings on Use of Deadly Weapon: NONE

Punishment Assessed by: JURY

Date Sentence Imposed: AUGUST 29, 2001

Costs: \$ - 0 -

Fine: \$ - 0 -

Punishment and Place of Confinement: FORTY (40) years TDCJ-ID

Date to Commence: AUGUST 29, 2001

Total Amount of Restitution/Reparation: \$ 15,000.00

Time Credited: 09/16/00 - 08/29/01

THIS SENTENCE IS TO BE SERVED CONCURRENTLY UNLESS OTHERWISE  
SPECIFIED.

FEE DOC	<input type="checkbox"/>
INDEX	<input type="checkbox"/>
COMP	<input checked="" type="checkbox"/>
MIN	<input checked="" type="checkbox"/>
STATE	<input type="checkbox"/>
NOTE BOOK	<input type="checkbox"/>
CM.44. DA TOC	<i>20/105</i>

FILED

AT 10 O'CLOCK A.M.  
17 DAY OF Sept 2001

*Nancy Carter*  
DISTRICT CLERK, JONES CO. TEXAS  
By *[Signature]* Deputy



True & Correct  
Copy of Original  
Filed in the Jones  
County District Clerk's Office

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Restitution to be paid as condition of Parole:

Name: JONES COUNTY DISTRICT CLERK  
Address: P. O. BOX 308  
City, State: ANSON, TEXAS 79501  
Total Amt: \$ 15,000.00

On the 27TH day of AUGUST, 2001, the above referenced cause was called for trial. The parties appeared as follows: the State appeared by its District Attorney, and the Defendant, GABRIEL FLORES, appeared in person with his attorney of record, ROBERT E. MCCOOL. Both parties announced ready for trial, and the Defendant having exercised his right to a jury trial entered his plea of not guilty to the offense of COUNT ONE - MURDER committed on SEPTEMBER 16, 2000.

After the indictment was read and evidence for the State and the Defendant was submitted and concluded, and argument of counsel for the State and Defendant was heard and concluded, and the Court charged the jury as to law applicable to said cause, and argument of counsel for the State and Defendant was heard and concluded and the jury returned the following verdict:

*We, the Jury, find the defendant, GABRIEL FLORES, guilty of the offense of Murder, as charged in the indictment.*

/s/ Bea Moore  
Presiding Juror

Thereupon, the said Defendant having previously requested that the JURY assess the proper punishment, and upon hearing all the evidence submitted by and on behalf of the State and the Defendant, the JURY returned the following verdict:

*We, the Jury, having found the Defendant, GABRIEL FLORES, guilty of Murder, as charged in the indictment, assess his punishment at 40 years confinement in the Texas Department of Criminal Justice, Institutional Division, and in our discretion, assess a further punishment of a fine of \$ 0.*

/s/ Bea Moore  
Presiding Juror

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that said Defendant, GABRIEL FLORES, is guilty of the offense of COUNT ONE - MURDER, committed on SEPTEMBER 16, 2000, as charged in the indictment, and that he be punished by confinement in the Texas Department of Criminal Justice-Institutional Division for



True & Correct  
Copy of Original  
Filed in the Jones  
County District Clerk's Office

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a term of **FORTY (40) years**, and in addition thereto a fine of \$ - 0 - is imposed and that such punishment be carried into execution in the manner prescribed by law.

Thereupon the said Defendant was asked by the Court whether he had anything to say why said sentence should not be pronounced against him, and he answered nothing in bar thereof, and it appearing to the Court that the Defendant is mentally competent and understanding of the English language, the Court proceeded in the presence of said Defendant, his counsel also being present, to pronounce sentence against him as follows:

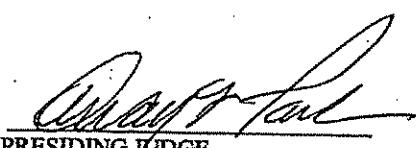
**IT IS THE ORDER OF THE COURT** that said Defendant **GABRIEL FLORES** who has been adjudged to be **GUILTY** of **COUNT ONE - MURDER** and whose punishment has been assessed by the Court at confinement in the Texas Department of Criminal Justice-Institutional Division for **FORTY (40) YEARS**, be remanded to the Director of the Texas Department of Criminal Justice-Institutional Division or other persons legally authorized to receive such convicts and said Defendant shall be confined in said Texas Department of Criminal Justice-Institutional Division for **FORTY (40) YEARS** in accordance with the provisions of the law governing the Texas Department of Criminal Justice-Institutional Division, and the Defendant is remanded to the custody of the Texas Department of Criminal Justice-Institutional Division until the directions of this sentence can be obeyed.

Court Costs: \$ - 0 -; Court-Appointed Attorney's Fee: \$15,000.00; Fine: \$ - 0 -

THE CLERK OF THE COURT IS ORDERED TO send a copy of this order to the Defense Attorney:

MR. ROBERT E. MCCOOL  
Attorney at Law  
237 Marker Street  
Baird, Texas 79504

send a copy of this order to the District Attorney, Britt Thurman, P. O. Box 507, Anson, Texas, 79501.

  
PRESIDING JUDGE

Notice of Appeal: \_\_\_\_\_

  
DATE SIGNED

JUDG6.22  
attachment:



True & Correct  
Copy of Original  
Filed in the Jones  
County District Clerk's Office

Prints taken from the defendant in Cause No. 8744 on this

29 day of Aug, 2001.

This document is attached to and part of the Judgment/Sentence in said cause number in the 259th District Court of JONES County, Texas.

Marilyn Flores  
Defendant's Signature

Lawrence Elliott  
Officer taking print



CERTIFIED TRUE AND CORRECT COPY CERTIFICATE  
STATE OF TEXAS  
COUNTY OF JONES

The document to which this certificate is affixed, containing 20 pages, is a full, true and correct copy of the original on file and of record in my office.

ATTEST:

Sept 15 2001  
NONA CARTER, District Clerk  
Jones County, Texas  
BY D. M. Hart DEPUTY



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## CAUSE NO. 8615

THE STATE OF TEXAS  
VS.  
LISA THOMAS JERNIGAN

IN THE 259TH DISTRICT  
COURT OF  
JONES COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE BEFORE COURT  
WAIVER OF JURY TRIAL

Judge Presiding: QUAY F. PARKER

Date of Judgment: DECEMBER 19, 2000

Attorney  
for State: GARY M. BROWN

Attorney for  
Defendant: JOHN S. YOUNG

Offense Convicted of: TAMPERING WITH PHYSICAL EVIDENCE  
Section 37.09 et seq. Texas Penal Code

Degree: 3RD DEGREE

Date Offense  
Committed: AUGUST 20, 1999

Charging  
Instrument: INFORMATION

Plea: GUILTY

## Terms of Plea:

Bargain (In Detail): EIGHT (8) yrs. TDCJ-ID; \$247.25 to be laid out at \$50/day; credit for time served

Plea to Enhancement  
Paragraph(s) :NONE

Findings on  
Enhancement: NONE

Findings on Use  
of Deadly Weapon :NONE

## Date Sentence

Imposed : DECEMBER 19, 2000

Costs: \$247.25

## Punishment and

Place of confinement: EIGHT (8) YEARS TDCJ-ID

## Date to

Commence: DECEMBER 19, 2000

Time Credited: 08/28/99 - 12/19/00 inclusive

Restitution to be paid to: Name: Jones County District Clerk

Address: P. O. Box 308

City, St: Anson, Texas 79501

total amt: \$247.25

FILED

AT 10 O'CLOCK A.M.  
20 DAY OF DEC 19 00

*Mona Carter*  
DISTRICT CLERK, JONES CO. TEXAS  
By \_\_\_\_\_ Deputy

FEEDOG	<input type="checkbox"/>
INDEX	<input type="checkbox"/>
COMP	<input checked="" type="checkbox"/>
SHRINK	<input type="checkbox"/>
STATE	<input type="checkbox"/>
NOTE BOOK	<input type="checkbox"/>
CM.DA - atty	<input type="checkbox"/>
TDC	



True & Correct  
Copy of Original  
Filed in the Jones  
County District Clerk's Office

THIS SENTENCE IS TO BE SERVED CONCURRENTLY UNLESS OTHERWISE SPECIFIED.

This day the above entitled and numbered cause having been called for trial, the State appeared by her District Attorney GARY M. BROWN, and the Defendant, LISA THOMAS JERNIGAN, appeared both in person and by her counsel JOHN S. YOUNG, and the Defendant having elected to waive a jury herein and submit all matters of both law and fact to the Court, in person, in writing, in open court duly represented by counsel and upon entering her plea of GUILTY, requested that a trial by jury be waived and this case tried by and before the court; and the said attorney representing the state, having properly filed in the papers hereof prior to the entry of the Defendant's plea of GUILTY herein, his consent and approval in writing and written agreement, duly signed, whereby the State agreed that the Defendant be permitted to so waive a jury herein and submit all matters to the Court, and the Court having likewise, also, given its consent and approval thereto in writing signed and filed herein, and here now entered in the minutes, a jury was in all things duly waived and this cause tried before the Court.

The State and Defense in open court having announced ready for trial, the Defendant, in open court, and in person, properly represented by counsel, pled GUILTY to the charge contained in the information filed herein; the Defendant having waived in writing the ten day preparation for trial thereupon the Court admonished the Defendant of the consequences of said plea of GUILTY but the Defendant persisted in pleading GUILTY and the Defendant plainly appearing to the Court to be sane, and uninfluenced in making said plea by any consideration of fear, or by any persuasion, or delusive hope of pardon prompting the Defendant to confess her guilt, the said plea of GUILTY is by the Court received and here now entered of record upon the minutes of the court as the plea of Defendant herein; and the Defendant having waived the reading of the information in open court, the State proceeded to introduce evidence into the record of this cause showing the guilt of the Defendant; and the said evidence being accepted by the Court as a basis for its judgment, and the Court considering the same sufficient to support the Defendant's plea of GUILTY of the charge as alleged in the information to which the Defendant entered such plea, the Court finds the Defendant to be GUILTY of the charge as alleged in the information filed herein, to which the Defendant entered her plea of GUILTY and finds the Defendant to be GUILTY of the offense of TAMPERING WITH PHYSICAL EVIDENCE, that the said Defendant committed said offense on AUGUST 20, 1999.

IT IS THEREFORE CONSIDERED, ORDERED and ADJUDGED by the Court that the Defendant LISA THOMAS JERNIGAN is GUILTY of the offense of TAMPERING WITH PHYSICAL EVIDENCE, as confessed by the Defendant in the Defendant's plea of GUILTY herein made to the Court, and that the said Defendant be punished by confinement in the Texas Department of Criminal Justice-Institutional Division for a term of EIGHT (8) YEARS and that the State of Texas do have and recover of the said Defendant all costs in this prosecution expended for which execution may issue.

Thereupon the said Defendant was asked by the Court whether she had anything to say why said sentence should not be pronounced against her, and she answered nothing in bar thereof,



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Copy of Original  
Filed in the Jones  
County District Clerk's Office

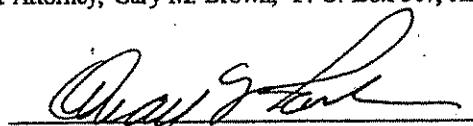
and it appearing to the Court that the Defendant is mentally competent and understanding of the English language, the Court proceeded in the presence of said Defendant, her counsel also being present, to pronounce sentence against her as follows:

IT IS THE ORDER OF THE COURT that said Defendant LISA THOMAS JERNIGAN who has been adjudged to be GUILTY of TAMPERING WITH PHYSICAL EVIDENCE, and whose punishment has been assessed by the Court at confinement in the Texas Department of Criminal Justice-Institutional Division for EIGHT (8) YEARS, be remanded to the Director of the Texas Department of Criminal Justice-Institutional Division or other persons legally authorized to receive such convicts and said Defendant shall be confined in said Texas Department of Criminal Justice-Institutional Division for EIGHT (8) YEARS in accordance with the provisions of the law governing the Texas Department of Criminal Justice-Institutional Division, and the Defendant is remanded to the custody of the Texas Department of Criminal Justice-Institutional Division until the directions of this sentence can be obeyed.

THE CLERK OF THE COURT IS ORDERED TO (1) send a copy of this order to the defense attorney:

Mr. John S. Young  
Attorney at Law  
P.O. Box 868  
Sweetwater, Texas 79556

(2) send a copy of this order to the District Attorney, Gary M. Brown, P. O. Box 507, Anson, Texas 79501.

  
\_\_\_\_\_  
PRESIDING JUDGE

Notice of Appeal: \_\_\_\_\_

12/28/2002  
DATE SIGNED

JUDG6.22  
attachment:



True & Correct  
Copy of Original  
Filed in the Jones  
County District Clerk's Office

Prints taken from the defendant in Cause No. 8615 on this  
19 day of Dec, 2002.

This document is attached to and part of the Judgment/Sentence in said cause number in  
the 259th District Court of JONES County, Texas.

Dina Jemigan  
Defendant's Signature

T. Carroll Smith  
Officer taking print



CERTIFIED TRUE AND CORRECT COPY CERTIFICATE  
STATE OF TEXAS  
COUNTY OF JONES

The document to which this certificate is affixed, containing 4 pages, is a full, true and correct copy of the original on file and of record in my office.

ATTEST:

Sept 15 2004



NONA CARTER, District Clerk  
Jones County, Texas  
BY O. Hart DEPUTY

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**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

(817)831-8383

FAX (817)831-8306

September 8, 2004

Calvin Albrecht, District Clerk  
201 N. LaGrange Street  
PO Box 306  
Hallettsville, Texas 77964

Dear Mr. Albrecht,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

NO. 0885306D

THE STATE OF TEXAS

VS.

BILLY JACK CRUTSINGER

) IN THE 213TH

) DISTRICT COURT OF

) TARRANT COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Denise Bujnoch, who, being by me duly sworn, deposed as follows:

"My name is Denise Bujnoch, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the District Clerk's Office of Lavaca County, Texas. Attached hereto are 1 pages of information obtained from records from the District Clerk's Office of Lavaca County, Texas. This information is kept by the District Clerk's Office of Lavaca County, Texas in the regular course of business, and it was the regular course of business of the District Clerk's Office of Lavaca County, Texas for an employee or representative of the District Clerk's Office of Lavaca County, Texas, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit the information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The information contained in the attached page is obtained from the records in the District Clerk's Office and represents the exact number of capital murder cases filed for the years indicated in this county."

Denise Bujnoch  
AFFIANT

SWORN TO AND SUBSCRIBED before me on the 22 day of July, 2003.



EVELYN M. DOBNIK, NOTARY PUBLIC, STATE OF TEXAS

NOTARY PUBLIC  
STATE OF TEXAS

My Commission Expires 08-31-2004

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NAME OF COUNTY Lavaca

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	1
2002	0
2001	0
2000	0
1999	0

CALVIN J. ALBRECHT  
DISTRICT CLERK, LAVACA COUNTY  
P.O. BOX 308  
HALLETTSVILLE, TEXAS 77964

VS

BRYAN ANDREW VOAN

5 - 4 A.D., 2004

IN THE DISTRICT COURT OF

LAVACA COUNTY, TEXAS

25TH JUDICIAL DISTRICT

at 1:15 O'clock P.M.

Calvin J. Albrecht, Clerk  
DISTRICT COURT LAVACA COUNTY, TEXAS

Evelyn M. Blush, Deputy

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE  
WAIVER OF JURY TRIAL

JUDGE PRESIDING:	HON. DWIGHT E. PESCHEL	DATE OF JUDGMENT:	APRIL 6, 2004
ATTORNEY FOR STATE:	RICHARD R. HICKS III	ATTORNEY FOR DEFENDANT:	ALLEN WILLIAMS
OFFENSE CONVICTED OF:	CAPITAL MURDER	OFFENSE CODE:	19.03 - TEXAS PENAL CODE
DEGREE:	CAPITAL	DATE OFFENSE COMMITTED:	MARCH 29, 2003
CHARGING INSTRUMENT	INDICTMENT	PLEA:	GUILTY
TERM OF PLEA BARGAIN (IN DETAIL):	CONFINEMENT FOR LIFE IN THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE		
PLEA TO ENHANCEMENT PARAGRAPH(S):	NA	FINDINGS ON ENHANCEMENT:	NA
FINDINGS ON USE OF DEADLY WEAPON:	NA		
DATE SENTENCE IMPOSED:	APRIL 6, 2004	TIME CREDITED:	358 Days
		COSTS:	\$248.00
PUNISHMENT IMPOSED AND PLACE OF CONFINEMENT:	CONFINEMENT FOR LIFE IN THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE		
DATE TO COMMENCE:	APRIL 6, 2004		
TOTAL AMOUNT OF RESTITUTION/REPARATION			
CONCURRENT UNLESS OTHERWISE SPECIFIED: THIS SENTENCE IMPOSED SHALL BEGIN WHEN THE JUDGMENT AND SENTENCE IN CAUSE # 03-04-8615-CR IN THE 25TH JUDICIAL DISTRICT OF LAVACA COUNTY, TEXAS IMPOSED ON APRIL 6, 2004 HAVE CEASED TO OPERATE.			

The Defendant having been indicted in the above entitled and numbered cause for the felony offense shown above and this cause being this day called for trial, the above appeared in person and by counsel as named above, and both parties announced ready for trial. The Defendant, in person, in writing and in open court, waived his right to trial by jury, pleaded as indicted above to the charged contained in the indictment. Thereupon, the range of punishment for the offense was explained to the Defendant, and the Defendant was admonished by the Court of the consequences of the said plea; and it plainly appearing to the Court that the Defendant was mentally competent and sane and that the Defendant is not influenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon prompting his plea, and that the plea is free and voluntary, the said plea was accepted by the Court and is here entered of record upon the minutes. The Court, having heard the evidence submitted, and the argument of the counsel thereon, found the Defendant guilty of the offense indicated above, a felony, and assessed the punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above.

It is THEREFORE CONSIDERED, ORDERED, and ADJUDGED by the Court that the Defendant is guilty of the offense indicated above, a felony, and that the said Defendant committed the said offense on the date indicated above, and that he be

CALVIN J. ALBRECHT, District Clerk, Lavaca County  
 Texas, do hereby certify that this is a true and correct  
 copy as same appears of record in my office,  
 Witness my hand and seal of office on 2/13/04  
 CALVIN J. ALBRECHT, DISTRICT CLERK  
 By *Kathleen Dugan*  


THEREUPON, on the date of sentence indicated above, the Defendant was asked by the Court whether Defendant had anything to say why sentence should not be pronounced against Defendant and Defendant answered nothing in bar thereof, whereupon the Court proceeded in the presence of the said Defendant and Defendant's attorney to pronounce sentence against Defendant as follows:

It is ORDERED, ADJUDGED and DECREED by the Court that the Defendant, who has been adjudged to be guilty of the offense indicated above, a felony, is hereby sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above and be fined the amount indicated above that Defendant be delivered by the Sheriff of the above named County and State, to the Director of Institutional Division of the Texas Department of Criminal Justice of the State of Texas, and said Defendant shall be confined in the said Institutional Division of the Texas Department of Criminal Justice for the period indicated above in accordance with the provisions of the law governing the Institutional Division of the Texas Department of Criminal Justice.

The Court also made the findings as indicated above concerning the allegations of prior felony convictions against Defendant to which Defendant has pleaded as indicated above.

The Court also made the affirmative findings as indicated above concerning the use or exhibition of a deadly weapon during the commission of the offense indicated above or during the immediate flight therefrom and whether the deadly weapon was a firearm.

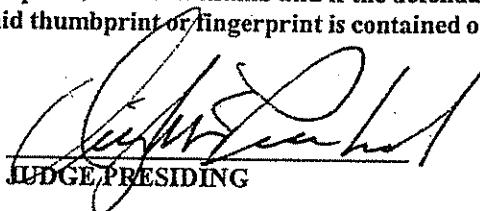
It is further ORDERED, ADJUDGED, and DECREED that the said Defendant be credited on this sentence with the number of days as indicated above, on account of his confinement in jail since his arrest and prior to pronouncement of this sentence.

It is further ORDERED, ADJUDGED and DECREED, that as a condition of any parole that Defendant pay restitution and reparation to the victim (s) of Defendant's crime as indicated above and a fine as indicated above.

It is further ORDERED, ADJUDGED and DECREED, that the punishment under the sentence herein imposed shall begin when the Judgment and Sentence in the above indicated cause against the Defendant shall have ceased to operate.

And, the said Defendant is hereby remanded to jail until said Sheriff can obey the directions of this sentence.

Pursuant to Article 38.33, V.A.C.C.P., the Court further ordered that the Clerk take a thumbprint of the defendant's right thumb, if defendant does not have a right thumb the Clerk shall take a thumbprint of the left thumb and if the defendant has no thumbs, the Clerk shall take a fingerprint of the defendant's index finger. Said thumbprint or fingerprint is contained on Exhibit "A" attached hereto and made a part hereof.



JUDGE PRESIDING

May 4, 2004  
DATE

NOTICE OF APPEAL: \_\_\_\_\_

CALVIN J. ALBRECHT, District Clerk, Lavaca County  
do hereby certify that this is a true and correct  
as appears of record in my office. 9-13-04  
ness my hand and seal of office on \_\_\_\_\_



CALVIN J. ALBRECHT, DISTRICT CLERK  
By Denise Bifurk  
Deputy

THE STATE OF TEXAS

VS.

BRYAN ANDREW VOAN

S. J. Albrecht, Clerk  
DISTRICT COURT LAVACA COUNTY, TX  
Early M. Clark  
IN THE DISTRICT COURT OF

LAVACA COUNTY, TEXAS

25<sup>TH</sup> JUDICIAL DISTRICT

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE  
WAIVER OF JURY TRIAL

JUDGE PRESIDING:	DWIGHT E. PESCHEL	DATE OF JUDGMENT:	APRIL 6, 2004
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ATTORNEY FOR STATE:	RICHARD R. HICKS III	ATTORNEY FOR DEFENDANT:	ALLEN WILLIAMS
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OFFENSE CONVICTED OF:	CAPITAL MURDER	PENAL CODE:	19.03
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DEGREE:	CAPITAL	DATE OFFENSE COMMITTED:	MARCH 29, 2003
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CHARGING INSTRUMENT:	INDICTMENT	PLEA:	GUILTY
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TERM OF PLEA BARGAIN (IN DETAIL):	CONFINEMENT FOR LIFE IN THE INSTITUTIONAL DIVISION OF THE TEXAS DEPT. OF CRIMINAL JUSTICE		
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PLEA TO ENHANCEMENT PARAGRAPH (S)	N/A	FINDINGS ON ENHANCEMENT:	N/A
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FINDINGS ON USE OF DEADLY WEAPON	NONE	TIME CREDITED:	358 days
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DATE SENTENCE IMPOSED:	APRIL 6, 2004	COSTS:	248.00
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PUNISHMENT AND PLACE OF CONFINEMENT:	CONFINEMENT FOR LIFE IN THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE		
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DATE TO COMMENCE: APRIL 6, 2004

TOTAL AMOUNT OF

RESTITUTION/REPARATION:

CONCURRENT UNLESS OTHERWISE SPECIFIED: THE COURT FURTHER ORDERS THAT THE SENTENCE IMPOSED IN THIS CASE AGAINST THE DEFENDANT SHALL BEGIN WHEN THE JUDGMENT AND SENTENCE IN CAUSE NO. 03-04-8615A-CR IN THE 25<sup>TH</sup> JUDICIAL DISTRICT COURT OF LAVACA COUNTY, TEXAS, SENTENCED TO LIFE IMPRISONMENT ON APRIL 6, 2004, FOR THE OFFENSE OF CAPITAL MURDER HAS CEASED TO OPERATE.

The Defendant having been indicted in the above entitled and numbered cause for the felony offense shown above and this cause being this day called for trial, the above appeared in person and by counsel as named above, and both parties announced ready for trial. The Defendant, in person, in writing and in open court, waived his right to trial by jury, pleaded as indicted above to the charged contained in the indictment. Thereupon, the range of punishment for the offense was explained to the Defendant, and the Defendant was admonished by the Court of the consequences of the said plea; and it plainly appearing to the Court that the Defendant was mentally competent and sane and that the Defendant is not influenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon prompting his plea, and that the plea is free and voluntary, the said plea was accepted by the Court and is here entered of record upon the minutes. The Court, having heard the evidence submitted, and the

LVIN J. ALBRECHT, District Clerk, found the Defendant guilty of the offense indicated above, a felony, and assessed do hereby certify that this is a true and correct same appears of record in my office.  
ss my hand and seal of office on 9-13-04.

CALVIN J. ALBRECHT, DISTRICT CLERK

By Deanne Burch  
Deputy

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the punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above.

It is THEREFORE CONSIDERED, ORDERED, and ADJUDGED by the Court that the Defendant is guilty of the offense indicated above, a felony, and that the said Defendant committed the said offense on the date indicated above, and that he be punished by confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above, and that the State of Texas do have and recover of the Defendant all costs of the prosecution, for which execution will issue.

THEREUPON, on the date of sentence indicated above, the Defendant was asked by the Court whether Defendant had anything to say why sentence should not be pronounced against Defendant and Defendant answered nothing in bar thereof, whereupon the Court proceeded in the presence of the said Defendant and Defendant's attorney to pronounce sentence against Defendant as follows:

It is ORDERED, ADJUDGED and DECREED by the Court that the Defendant, who has been adjudged to be guilty of the offense indicated above, a felony, is hereby sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above and be fined the sum indicated above that Defendant be delivered by the Sheriff of the above named County and State, or the authorized agent of the State of Texas, to the Director of Institutional Division of the Texas Department of Criminal Justice of the State of Texas, and said Defendant shall be confined in the said Institutional Division of the Texas Department of Criminal Justice for the period indicated above in accordance with the provisions of the law governing the Institutional Division of the Texas Department of Criminal Justice.

The Court also made the findings as indicated above concerning the allegations of prior felony convictions against Defendant to which Defendant has pleaded as indicated above.

The Court also made the affirmative findings as indicated above concerning the use or exhibition of a deadly weapon during the commission of the offense indicated above or during the immediate flight therefrom and whether the deadly weapon was a firearm.

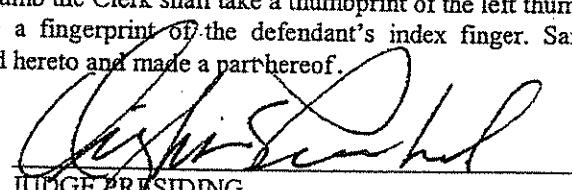
It is further ORDERED, ADJUDGED, and DECREED that the said Defendant be credited on this sentence with the number of days as indicated above, on account of his confinement in jail since his arrest and prior to pronouncement of this sentence.

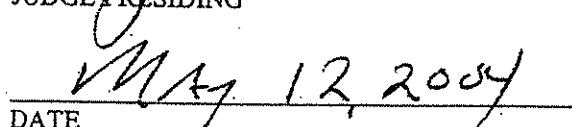
It is further ORDERED, ADJUDGED and DECREED, that as a condition of any parole that Defendant pay restitution and reparation to the victim (s) of Defendant's crime as indicated above.

It is further ORDERED, ADJUDGED and DECREED, that the punishment under the sentence herein imposed shall begin when the Judgment and Sentence in the above indicated cause against the Defendant shall have ceased to operate.

And, the said Defendant is hereby remanded to jail until said Sheriff can obey the directions of this sentence.

Pursuant to Article 38.33, V.A.C.C.P., the Court further ordered that the Clerk take a thumbprint of the defendant's right thumb, if defendant does not have a right thumb the Clerk shall take a thumbprint of the left thumb and if the defendant has no thumbs, the Clerk shall take a fingerprint of the defendant's index finger. Said thumbprint or fingerprint is contained on Exhibit "A" attached hereto and made a part hereof.

  
\_\_\_\_\_  
JUDGE PRESIDING

  
\_\_\_\_\_  
DATE

350

NOTICE OF APPEAL: VOTIVES

I, CALVIN J. ALBRECHT, District Clerk, Lavaca County,  
Texas, do hereby certify that this is a true and correct  
copy as same appears of record in my office. 9-13-04  
Witness my hand and seal of office on

CALVIN J. ALBRECHT, DISTRICT CLERK  
By Denise Bugner  
Deputy





**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

(817)831-8383

FAX (817)831-8306

September 8, 2004

Marion County District Clerk  
PO Box 628  
Jefferson, Texas 75657

Dear Sir/Ma'am,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

THE STATE OF TEXAS

) IN THE 213TH

VS.

) DISTRICT COURT OF

BILLY JACK CRUTSINGER

) TARRANT COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Janie McCay,  
who, being by me duly sworn, deposed as follows:

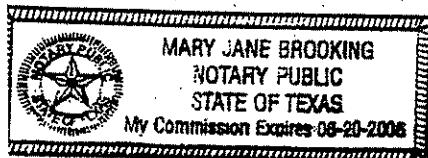
"My name is Janie McCay, I am of sound mind, capable of  
making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the District Clerk's Office of Marion County,  
Texas. Attached hereto are 1 pages of information obtained from records from the District  
Clerk's Office of Marion County, Texas. This information is kept by the District Clerk's  
Office of Marion County, Texas in the regular course of business, and it was the regular  
course of business of the District Clerk's Office of Marion County, Texas for an  
employee or representative of the District Clerk's Office of Marion County, Texas, with  
knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to  
transmit the information thereof to be included in such record; and the record was made at or  
near the time or reasonably soon thereafter. The information contained in the attached page is  
obtained from the records in the District Clerk's Office and represents the exact number of  
capital murder cases filed for the years indicated in this county."

*Janie McCay*  
AFFIANT

SWORN TO AND SUBSCRIBED before me on the 13 day of August, 2003.

*Mary Jane Brooking* NOTARY PUBLIC, STATE OF TEXAS



CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	2
2002	2
2001	3
2000	1
1999	3

NAME OF COUNTY Marion

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

"Revised" 9/14/04

Fiscal Year	Number of Indictments filed for Capital Murder
2003	2 1
2002	2 0
2001	3 2
2000	X 0
1999	2 1

Numbers previously included  
"Murder" + "Capital Murder". New  
Numbers are "Capital Murder".

Jessie McLay

THE STATE OF TEXAS

AUG 6 11 15 AM '99  
IN THE 115TH JUDICIAL

VS.

DISTRICT COURT

GREGORY GLENN HARTFIELD

MARION COUNTY, TEXAS

JUDGMENT OF LIFE, A CAPITAL FELONY,  
ON JURY VERDICT OF GUILTY

Judge Presiding:  
Lauren Parish

Date of Judgment:  
8/5/99

Attorney for State:  
James P. Finstrom

Attorney for Defendant:  
James Wedding

Offense Convicted Of:  
Capital Murder  
Section 19.03, Penal Code  
Capital Felony

Date Offense Committed:  
March 26, 1999

Charging Instrument: Indictment

Plea: Not Guilty

Jury Verdict: Guilty

Plea to Enhancement  
Paragraph: N/A

Findings on  
Enhancement: N/A

Findings on Use of a  
Deadly Weapon: n/a

Costs: \$211.25

Date Sentence Imposed: 8/5/99

Date to Commence: 8/5/99

Punishment and Place of Confinement: Life, Institutional  
Division Texas Department of Justice

Time credited: Since 3/26/99

Total Restitution: \$-0-

Concurrent Sentence Unless Otherwise Specified:

JUDGMENT AND SENTENCE

On the 2nd day of August, 1999, this cause was regularly reached and called for trial, and the State of Texas appeared by James P. Finstrom, her County Attorney with felony responsibility, and the Defendant, Gregory Glenn Hartfield, appeared in

Judgment On Jury Verdict of Guilty, Capital Felony - Page 1

A CERTIFIED COPY  
ATTEST: JANIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
Sept. 14 2009  
BY *Janie McCay* DEPUTY  
356

person in open court and by his attorney, James Wedding, and both parties announced ready for trial, and the defendant in open court pleaded not guilty to the charge contained in the indictment; thereupon a jury, to-wit, Alvin Michael Ballard and eleven others, was duly selected, impaneled, and sworn, who having heard the indictment read, and the defendant's plea of not guilty thereto, and having heard the evidence submitted, and having been duly charged by the court, and having heard the argument of counsel, retired in charge of the proper officer to consider their verdict, and afterwards were brought into open court by the proper officer, and the defendant and his counsel being present, and in due form of law returned into open court the following verdict, which was received by the court, and is here and now entered upon the minutes of the court, to-wit:

"We, the Jury, find the defendant, GREGORY GLENN HARTFIELD, GUILTY of the offense of Capital Murder as charged in the indictment."

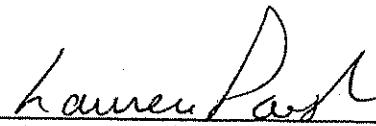
Alvin Michael Ballard  
Presiding Juror

Thereupon, the law providing that the Court shall assess a life sentence, it is the judgment of this Court that said defendant shall be punished by confinement in the Institutional Division of the Texas Department of Criminal Justice for life. Thereupon the defendant was asked by the Court whether he had anything to say why sentence should not be pronounced against him and he answered nothing in bar thereof, whereupon the Court proceeded in the presence of said Defendant, Gregory Glenn Hartfield, to sentence him as follows:

IT IS THEREFORE, the ORDER of the Court that the Defendant, Gregory Glenn Hartfield, is sentenced to Life Imprisonment in the Institutional Division of the Texas Department of Criminal Justice.

The defendant is now remanded to the custody of the Sheriff of Marion County, Texas, to be transported to the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas.

ENTERED this 6 day of August, 1999.

  
\_\_\_\_\_  
Judge Presiding

Judgment On Jury Verdict of Guilty, Capital Felony - Page 2

A CERTIFIED COPY  
ATTEST: JANIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
Sept 14 2004  
BY Janie McCay  
DEPUTY

RECORDED VOLUME 41 357  
PAGE NO. 13-75

NO. 12389

THE STATE OF TEXAS

VS.

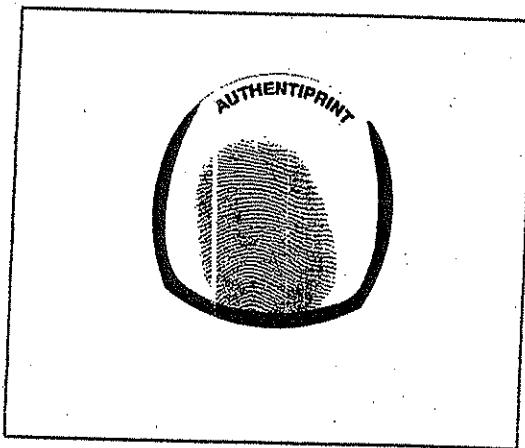
Gregory Glen Hartfield

IN THE 115<sup>TH</sup>

DISTRICT COURT

MARION COUNTY, TEXAS

COURT ORDERED FINGERPRINTING OF DEFENDANT'S RIGHT THUMB  
DONE IN OPEN COURT. (ART. 38.33 T.C.C.P.)



Right Thumb Print  
Of Defendant

Gregory S. Hartfield  
Defendant's Signature

A CERTIFIED COPY  
ATTEST: JANIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS

Sept 14 2004  
BY Janie McCay  
DEPUTY

358

JANIE MCCLAY  
DISTRICT CLERK  
MARION COUNTY, TEXAS

THE STATE OF TEXAS

IN THE 276<sup>TH</sup> JUDICIAL DEP.

VS.

DISTRICT COURT OF

GLEN ALLEN BETHANY, JR.

MARION COUNTY, TEXAS

JUDGMENT OF LIFE, A CAPITAL FELONY  
ON JURY VERDICT OF GUILT

DATE OF JUDGMENT: August 19, 2003  
JUDGE PRESIDING: William R. Porter  
ATTORNEY FOR THE STATE: James P. Finstrom  
ATTORNEY FOR DEFENDANT: Vernard Solomon  
OFFENSE CONVICTED OF: Capital Murder  
STATUTE FOR OFFENSE: Sec. 19.03, Texas Penal Code  
DEGREE OF OFFENSE: Capital Felony  
DATE OF OFFENSE: March 17, 2001  
CHARGING INSTRUMENT: Indictment  
PLEA TO OFFENSE FOR WHICH  
DEFENDANT CONVICTED: Not Guilty  
PLEA TO ENHANCEMENT(s): N/A  
JURY VERDICT: Guilty  
FINDING ON USE OF A  
DEADLY WEAPON: N/A  
DATE SENTENCE IMPOSED: August 19, 2003  
PUNISHMENT AND PLACE  
OF CONFINEMENT: Confinement for LIFE in the Institutional  
Division-TDCJ  
TIME CREDITED TO SENTENCE: 876 days  
COURT COSTS: \$ 3571.25  
ATTORNEY'S FEE: \$ To Be Determined  
RESTITUTION: N/A

This sentence shall run concurrently unless otherwise specified.

On the 12<sup>th</sup> day of August, 2003, this cause was regularly reached and called for trial, and the State of Texas appeared by James P. Finstrom, her County Attorney with felony responsibility, and the Defendant, **Glen Allen Bethany, Jr.**, appeared in person in open court and by his attorney, Vernard Solomon, and both parties announced ready for trial, and the defendant in open Court pleaded not guilty to the charge contained in the indictment; thereupon a jury, to-wit: Randy Charles Farmer and eleven others, were duly selected,

A COPY IS FILED COPY

ATTEST: JANIE MCCLAY

DISTRICT CLERK, MARION COUNTY, TEXAS

Sept. 14 2004  
BY Janie McClay

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Case 4:07-cv-00703-Y Document 85-17 Filed 11/03/17 Page 26 of 101 PageID 7135  
impaneled, and sworn, who having heard the indictment read, and the defendant's plea of not guilty thereto, and having heard the evidence submitted, and having been duly charged by the Court, and having heard the argument of counsel, retired in charge of the proper officer to consider their verdict, and afterwards were brought into open court by the proper officer, and the defendant and his counsel being present, and in due form of law returned into open court the following verdict, which was received by the court, and is here and now entered upon the minutes of the court, to-wit:

"We, the Jury, find the defendant, Glen Allen Bethany, Jr., guilty of the offense of CAPITAL MURDER, as charged in the indictment."

Randy C. Farmer,  
Presiding Juror

Thereupon, the law providing that the Court shall assess a life sentence, it is the judgment of this Court that said defendant shall be punished by confinement in the Institution Division of the Texas Department of Criminal Justice for life. Thereupon the defendant was asked by the Court whether he had anything to say why sentence should not be pronounced against him and he answered nothing in bar thereof, whereupon the court proceeded in the presence of the Defendant, **Glen Allen Bethany, Jr.**, to sentence him as follows:

IT IS THEREFORE, the ORDER of the Court that the Defendant, **Glen Allen Bethany, Jr.** is sentenced to Life Imprisonment in the Institutional Division of the Texas Department of Criminal Justice.

The defendant is now remanded to the custody of the Sheriff of Marion County, Texas, to be transported to the Institutional Division of the Texas Department of Criminal Justice.

Signed this the 22<sup>nd</sup> day of August, 2003.

  
Judge Presiding

A RECORDED COPY.  
ATTEST: JANIE MCCAY  
CLERK MARION COUNTY, TEXAS  
*Sept 14 2003*  
*Janie McCay*

360

NO. F12,730

THE STATE OF TEXAS

IN THE 276<sup>TH</sup>

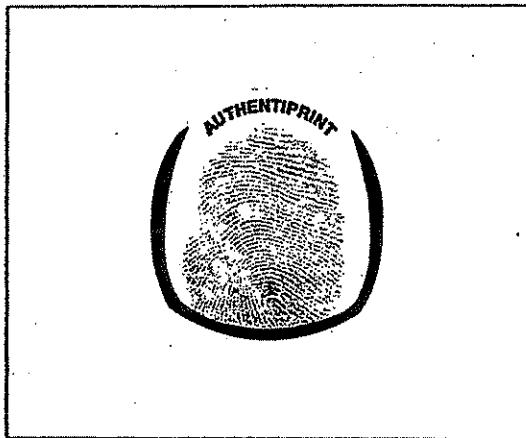
VS

GLEN ALLEN BETHARD

DISTRICT COURT

MARION COUNTY, TEXAS

COURT ORDERED FINGERPRINTING OF DEFENDANT'S RIGHT THUMB  
DONE IN OPEN COURT. (ART. 38.33 T.C.C.P.)



Right Thumb Print  
Of Defendant

Glen Allen Bethard

Defendant's Signature

A CERTIFIED COPY  
ATTEST: JENNIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
*Sept 14 2004*  
*Jennie McCay*

RECORDED VOLUME 54  
PAGE NO. 823-825

361

CAUSE NO. F12,729

STATE OF TEXAS

VS.

TAMMY ROSE WIGGINS

IN THE DISTRICT COURT

FILED FOR RECORD  
IN AND FOR

2003 OCT 27 A 9:52  
MARION COUNTY, TEXAS

DISTRICT ATTORNEY  
MARION COUNTY, TEXAS  
BY DEP.

MOTION TO DISMISS

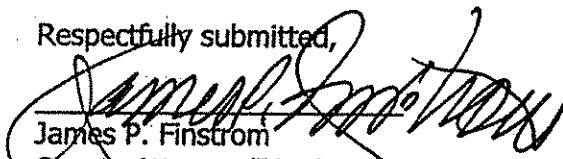
TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW James P. Finstrom, County Attorney/District Attorney of Marion County, Texas, and moves to dismiss the above styled and numbered cause for the following reasons:

1. Case tried under Cause #F13,266.

WHEREFORE, counsel for the State prays that this cause be dismissed.

Respectfully submitted,

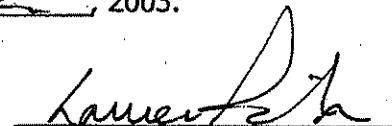
  
James P. Finstrom  
County Attorney/District Attorney  
Marion County, Texas  
903-665-7111  
Fax: 903-665-3348  
Texas Bar #07038000

ORDER OF DISMISSAL

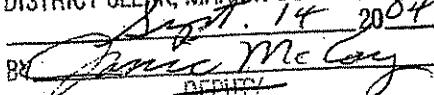
Came on for consideration the motion to dismiss filed by James P. Finstrom, County Attorney/District Attorney of Marion County, Texas, and Court being of the opinion that the motion should be granted for the reasons stated in the motion,

IT IS ORDERED that this cause is dismissed.

SIGNED this 27 day of October, 2003.

  
Judge Presiding

A CERTIFIED COPY  
ATTEST: JANIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
Sept. 14 2004

  
Janie McCay  
DEPUTY

RECORDED VOLUME 55  
PAGE NO. 238

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THE STATE OF TEXAS

VS.

TAMMY ROSE WIGGINS

IN THE 115<sup>TH</sup> JUDICIAL

DISTRICT COURT OF

MARION COUNTY, TEXAS

JUDGMENT OF LIFE, A CAPITAL FELONY  
ON JURY VERDICT OF GUILT

DATE OF JUDGMENT: September 25, 2003  
JUDGE PRESIDING: Lauren Parish  
ATTORNEY FOR THE STATE: James P. Finstrom  
ATTORNEY FOR DEFENDANT: William Gleason  
OFFENSE CONVICTED OF: Capital Murder  
STATUTE FOR OFFENSE: Sec. 19.03, Texas Penal Code  
DEGREE OF OFFENSE: Capital Felony  
DATE OF OFFENSE: March 17, 2001  
CHARGING INSTRUMENT: Indictment  
PLEA TO OFFENSE FOR WHICH  
DEFENDANT CONVICTED: Not Guilty  
PLEA TO ENHANCEMENT(S): N/A  
JURY VERDICT: Guilty  
FINDING ON USE OF A  
DEADLY WEAPON: N/A  
DATE SENTENCE IMPOSED: September 25, 2003  
PUNISHMENT AND PLACE  
OF CONFINEMENT: Confinement for LIFE in the Institutional Division-TDCJ  
TIME CREDITED TO SENTENCE: 40 days  
COURT COSTS: \$518.00  
ATTORNEY'S FEE: \$ 7,900.00  
RESTITUTION: N/A

This sentence shall run concurrently unless otherwise specified.

On the 22nd day of September, 2003, this cause was regularly reached and called for trial, and the State of Texas appeared by James P. Finstrom, her County Attorney with felony responsibility, and the Defendant, **TAMMY ROSE WIGGINS**, appeared in person in open court and by her attorney, William Gleason, and both parties announced ready for trial, and the defendant in open Court pleaded not guilty to the charge contained in the indictment; thereupon a jury, to-wit: Jason Bonner and eleven others, were duly selected, impaneled, and

A CERTIFIED COPY  
ATTEST: JANIE McCAY

CLERK MARION COUNTY TEXAS

Sept. 14 2007

*Janie McCay*

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sworn, who having heard the indictment read, and the defendant's plea of not guilty thereto, and having heard the evidence submitted, and having been duly charged by the Court, and having heard the argument of counsel, retired in charge of the proper officer to consider their verdict, and afterwards were brought into open court by the proper officer, and the defendant and his counsel being present, and in due form of law returned into open court the following verdict, which was received by the court, and is here and now entered upon the minutes of the court, to-wit:

"We, the Jury, find the defendant, TAMMY ROSE WIGGINS, guilty of the offense of CAPITAL MURDER, as charged in the indictment."

Jason Bonner,  
Presiding Juror

Thereupon, the law providing that the Court shall assess a life sentence, it is the judgment of this Court that said defendant shall be punished by confinement in the Institution Division of the Texas Department of Criminal Justice for life. Thereupon the defendant was asked by the Court whether she had anything to say why sentence should not be pronounced against her and she answered nothing in bar thereof, whereupon the court proceeded in the presence of the Defendant, **TAMMY ROSE WIGGINS**, to sentence her as follows:

IT IS THEREFORE, the ORDER of the Court that the Defendant, **TAMMY ROSE WIGGINS** is sentenced to Life Imprisonment in the Institutional Division of the Texas Department of Criminal Justice.

The defendant is now remanded to the custody of the Sheriff of Marion County, Texas, to be transported to the Institutional Division of the Texas Department of Criminal Justice.

Signed this the 29 day of September, 2003.

Lauren L. McLay  
Judge Presiding

A COPY  
ATTEST: JANE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
Sept. 14 2003  
Jane McCay

364

NO. F13266

THE STATE OF TEXAS

IN THE 115 TH

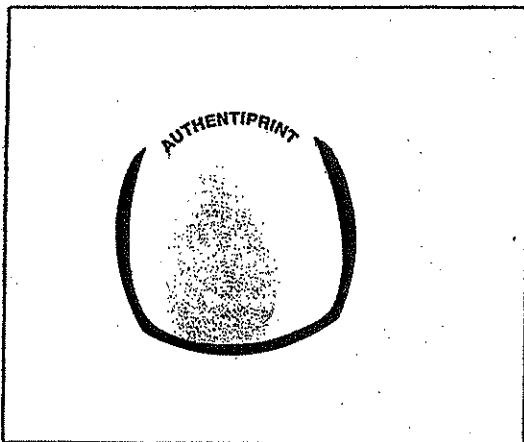
VS

Tammy Rose Wiggins

DISTRICT COURT

MARION COUNTY, TEXAS

COURT ORDERED FINGERPRINTING OF DEFENDANT'S RIGHT THUMB  
DONE IN OPEN COURT. (ART. 38.33, T.C.C.P.)



Right Thumb Print  
Of Defendant

✓ Tammy R Lynch

Defendant's Signature

365

RECORDED VOLUME 55  
PAGE NO. 580-582

A CERTIFIED COPY  
ATTEST: JAMIE McCAY  
DISTRICT CLERK, MARION COUNTY, TEXAS  
SEPT. 14 2004

Jamie McCay



**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

(817)831-8383

FAX (817)831-8306

September 8, 2004

Bree Allen, District Clerk  
Newton County  
117 Court Street, PO Box 535  
Newton, Texas 75966

Dear Ms. Allen,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

367

THE STATE OF TEXAS ) IN THE 213TH  
VS. )  
 ) DISTRICT COURT OF  
BILLY JACK CRUTSINGER )  
 ) TARRANT COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Bree Allen,  
who, being by me duly sworn, deposed as follows:

"My name is Bree Allen, I am of sound mind, capable of  
making this affidavit, and personally acquainted with the facts herein stated:

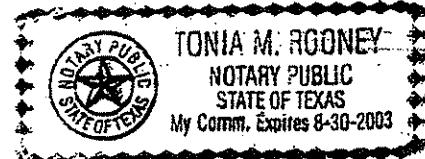
I am the custodian of the records of the District Clerk's Office of Newton County,  
Texas. Attached hereto are 1 pages of information obtained from records from the District  
Clerk's Office of Newton County, Texas. This information is kept by the District Clerk's  
Office of Newton County, Texas in the regular course of business, and it was the regular  
course of business of the District Clerk's Office of Newton County, Texas for an  
employee or representative of the District Clerk's Office of Newton County, Texas, with  
knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to  
transmit the information thereof to be included in such record; and the record was made at or  
near the time or reasonably soon thereafter. The information contained in the attached page is  
obtained from the records in the District Clerk's Office and represents the exact number of  
capital murder cases filed for the years indicated in this county."

Bree Allen

AFFIANT

SWORN TO AND SUBSCRIBED before me on the 14th day of August, 2003.

Cheri C. Smith NOTARY PUBLIC, STATE OF TEXAS



CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	1
2002	1
2001	0
2000	1
1999	0

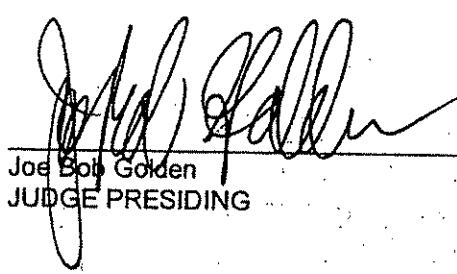
FILED  
FEB 23 2000  
*Abbie N. Stark*  
ABBIE N. STARK  
District Clerk, Newton County, Texas  
Deputy

No. 4993

THE STATE OF TEXAS  
VS  
DARRELL RAY HALLMARK

) IN THE 1<sup>ST</sup> DISTRICT COURT  
)  
) OF  
) NEWTON COUNTY, TEXAS

JUDGEMENT ON PLEA OF GUILTY OR NOLO CONTENDERE BEFORE THE  
COURT WAIVER OF JURY TRIAL

JUDGE PRESIDING: Joe Bob Golden	DATE OF JUDGMENT: February 23, 2000
ATTORNEY FOR STATE: A. W Davis, Jr.	ATTORNEY FOR DEFENDANT: Robert Choate
OFFENSE CONVICTED OF: Capital Murder	
PENAL CODE: 19.03	
DECREE: Capital Felony	DATE OFFENSE COMMITTED: January 25, 2000
CHARGING INSTRUMENT: Indictment	PLEA: Guilty
TERMS OF PLEA	
BARGAIN (In Detail): Life sentence in the Institutional Division of the Texas Department of Criminal Justice.	
PLEA TO ENHANCEMENT PARAGRAPH (S):	FINDINGS ON ENHANCEMENT:
FINDINGS ON USE OF DEADLY WEAPON:	
DATE OF SENTENCE IMPOSED: February 23, 2000	DATE TO COMMENCE: February 23, 2000
PUNISHMENT AND PLACE OF CONFINEMENT: Life sentence in the Institutional Division of the Texas Department of Criminal Justice.	
CONCURRENT UNLESS OTHERWISE SPECIFIED:	
TIME CREDITED:	DEFENDANT'S DATE OF BIRTH: May 11, 1973
TOTAL AMOUNT OF RESTITUTION/REPARATION:	RESTITUTION TO BE PAID TO: Name: Address:
NOTICE OF APPEAL:	 Joe Bob Golden JUDGE PRESIDING

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JUDGMENT

VOL Q PAGE 81

On the 23rd day of February, 2000, the above entitled and numbered cause was regularly reached and called for trial and the State appeared by her Criminal District Attorney, A. W Davis, Jr., and the defendant, Darrell Ray Hallmark, appeared in person as did defendant's attorney of record, and the Criminal District Attorney announced ready for trial, as did the defendant, and it appearing to the Court that the defendant, defendant's counsel, and the State's attorney have agreed in writing in open court to waive a jury in the trial of this cause, and to submit this cause to the Court; and the Court having consented to the waiver of a jury herein, and proceed with the defendant charged by Indictment, the reading of the Indictment was waived, and the defendant, upon being asked by the Court as to how defendant pleaded, entered a plea of "GUILTY" to a charge of Capital Murder under Section 19.03 of the *Texas Penal Code*, as charged in the Indictment relied upon by the State; thereupon the defendant was admonished by the Court of the consequences of said plea and it appearing to the Court that the said defendant is sane and that the defendant is not influenced in making said plea by any consideration or fear, or by any persuasion or delusive hope of pardon or reward prompting a confession of guilt, the said plea of "GUILTY" is by the Court received and is here now entered of record in the minutes of the Court as the plea herein of said defendant; and the Court after having heard all evidence for the State and defendant, and having heard argument of counsel, is of the opinion and so finds that the said defendant is guilty as confessed of Capital Murder charged in the Indictment on file in this case.

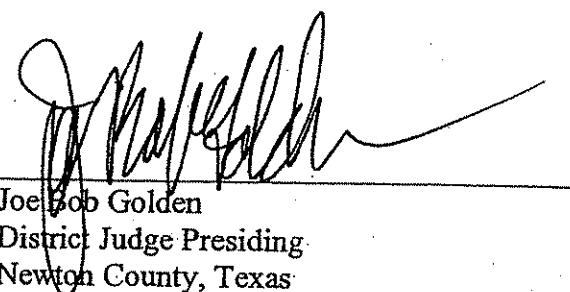
It is therefore CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court that the said defendant, Darrell Ray Hallmark, committed said offense of Capital Murder on the 25th day of January, 2000, in the County of Newton, State of Texas, as confessed in said plea of guilty herein made, and that punishment be fixed as determined by the Court, by confinement in the Institutional Division of the State Department of Criminal Justice for Life.

The Court makes the following findings: There was Capital Murder by the defendant in violation of Section 19.03 of the Texas Penal Code. Under the facts and circumstances of this case, a presentence investigation is not required, nor is one sought by the Defendant.

Further, it appearing to the Court that it is the choice and agreement of the defendant, defendant's counsel, and the State's attorney to immediately proceed with sentencing in this case, and to have the sentence of the law pronounced in accordance with the judgment herein rendered and entered against the defendant on this date, the Court proceeded to do so. And thereupon the defendant, Darrell Ray Hallmark, was asked by the Court whether he had anything to say why said sentence should not be pronounced against him, and he answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of the said defendant, Darrell Ray Hallmark, to pronounce sentence against him as follows: It is the order of the Court that the defendant, Darrell Ray Hallmark, who has been adjudged to be guilty of Capital Murder, and whose punishment has been assessed by the Court at confinement in the Institutional Division of the State Department of Criminal Justice for Life, be delivered by the Sheriff of Newton County, Texas, immediately to the Institutional Division of the State Department of Criminal Justice of the State of Texas, or other person legally authorized to receive such convicts, *subject to the provisions and conditions contained in this judgment and sentence*, and the said Darrell Ray

Hallmark, shall be confined in said Institutional Division of the State Department of Criminal Justice for Life, in accordance with the provisions governing said Institutional Division of the State Department of Criminal Justice of the State of Texas, and in conformity with the terms of this Judgment.

SIGNED and ENTERED this 23rd day of February, 2000.



Joel Bob Golden  
District Judge Presiding  
Newton County, Texas

Defendant's Right  
Thumb Print:



I certify this to be a true and correct copy  
of the original on file in the District Clerk's  
Office, Newton County, Texas  
Ree. Attn. District Clerk  
Attn. & Date 0-74-04  
By D. Miller 372

THE STATE OF TEXAS § IN THE FIRST JUDICIAL  
 v. § DISTRICT COURT OF  
 PERRY ANTHONY § NEWTON COUNTY, TEXAS  
 STEVENSON, DEFENDANT  
SID: TX 06862307

JUDGMENT OF CONVICTION BY COURT;  
SENTENCE TO Institutional Division, TDCJ

FILED

O'clock

SEP 18 2002

BREWSTER  
 District Clerk, Newton County, Texas  
 By *[Signature]*

DATE OF JUDGMENT: September 18, 2002  
JUDGE PRESIDING: Joe Ned Dean  
ATTORNEY FOR THE STATE: A. W Davis, Jr.  
ATTORNEY FOR THE DEFENDANT: C. Haden Cribbs, Jr. and Kevin Sekaly  
OFFENSE: Capital Murder  
STATUTE FOR OFFENSE: Section 19.03, Penal Code  
DEGREE OF OFFENSE: Capital Felony  
APPLICABLE PUNISHMENT RANGE  
 (including enhancements, if any):

An individual adjudged guilty of a capital felony in a case in which the state does not seek the death penalty shall be punished by imprisonment in the institutional division for life.

DATE OF OFFENSE: January 28, 2002  
CHARGING INSTRUMENT: Indictment  
TERMS OF PLEA AGREEMENT  
 (IN DETAIL): The Defendant is to receive a Life sentence in the Institutional Division of the Texas Department of Criminal Justice. As a part of the plea agreement, the defendant will enter a plea of guilty to the pending murder charge in Orange County, Texas and receive a life sentence. The Orange County sentence shall run consecutively with the life sentence for capital murder assessed in this case, and shall commence when the judgment and sentence in this case shall have ceased to operate.

PLEA TO OFFENSE: Guilty  
PLEA TO ENHANCEMENT Not Applicable  
PARAGRAPH(S):  
VERDICT FOR OFFENSE: Guilty  
FINDING ON ENHANCEMENT: Not Applicable  
AFFIRMATIVE FINDING ON DEADLY

WEAPON:OTHER AFFIRMATIVE SPECIAL  
FINDINGS:DATE SENTENCE IMPOSED: September 18, 2002PUNISHMENT AND PLACE OF  
CONFINEMENT: Defendant is to receive a Life Sentence in the Institutional Division of the Texas Department of Criminal Justice.

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TIME CREDITED TO SENTENCE: January 29, 2002 - September 18, 2002.

COURT COSTS: \$198.00

TOTAL AMOUNT OF RESTITUTION: \$-0-

NAME AND ADDRESS FOR N/A

RESTITUTION:

The Sex Offender Registration Requirements under Chapter 62, CCP, do not apply to the Defendant. The age of the victim at the time of the offense was not applicable.

On the date stated above, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by the attorney stated above, and the Defendant and the Defendant's attorney, as stated above, were also present. Thereupon both sides announced ready for trial, and the Defendant, Defendant's attorney, and the State's attorney agreed in open court and in writing to waive a jury in the trial of this cause and to submit it to the Court. The Court consented to the waiver of a jury. The Defendant further waived the reading of the indictment and, upon being asked by the Court as to how the defendant pleaded, entered a plea of **Guilty** to the offense of **Capital Murder**, as alleged in the charging instrument. Furthermore, as to the enhancement paragraphs, if any, the Defendant entered a plea as stated above.

Thereupon, the Defendant was admonished by the Court of the consequences of the plea(s); it appeared to the Court that the Defendant was competent to stand trial and that the defendant was not influenced in making said plea(s) by any consideration of fear or by any persuasion prompting a confession of guilty; and the Court received the free and voluntary plea(s), which are now entered of record in the minutes of the court. The Court proceeded to hear evidence from the State and the Defendant and, having heard argument of counsel, found there was sufficient evidence to support the Defendant's plea and found the Defendant "**GUILTY**" of the offense stated above, found it was committed on the date(s) stated above, and made a finding on the enhancement paragraphs, if any, as stated above. A presentence investigation report was not required or done. The Court then assessed punishment as stated above.

And thereupon the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded to pronounce sentence upon said Defendant as stated above.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the defendant is guilty of the offense of Capital Murder as stated above, the punishment is fixed at Life Imprisonment in the Institutional Division of the Texas Department of Criminal Justice as stated above, and the State of Texas do have and recover of said defendant all court costs in this prosecution expended, for which execution will issue.

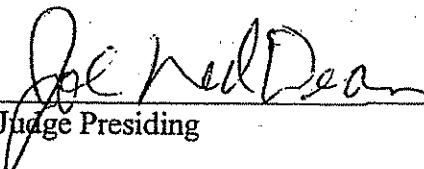
It is ORDERED by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of this county and be safely conveyed and delivered to the Director, Institutional Division-TDCJ, there to be confined in the manner and for the period aforesaid, and the said defendant is hereby remanded to the custody of the Sheriff of this county until such time as the Sheriff can obey the directions of this sentence. The defendant is given

Case 4:07-cv-00703-Y Document 85-17 Filed 11/03/17 Page 41 of 101 PageID 7150  
credit as stated above on this sentence for the time spent in county jail. The Defendant also is ordered to pay restitution to the person(s) named above in the amount specified above.

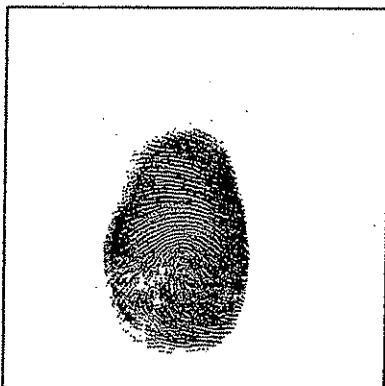
Furthermore, the following special findings or orders apply:

N/A

Signed on the 18th day of September, 2002.

  
\_\_\_\_\_  
Judge Presiding

Defendant's right thumbprint



I certify this to be a true and correct copy  
of the original on file in the District Clerk's  
Office, Newton County, Texas  
Bree Allen, District Clerk  
Attn & Date: DS2: Judgment of Conviction by Court; Direct Sentence, Cause No. ND 5220; Page 3 of 3 Pages  
By: THEETTLEIN



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THE STATE OF TEXAS § IN THE FIRST JUDICIAL  
v. § DISTRICT COURT OF  
RICHARD DEREK § NEWTON COUNTY, TEXAS  
HOFFPAUIR, DEFENDANT §  
SID: TX 06004104

JUDGMENT OF CONVICTION BY COURT;  
SENTENCE TO Institutional Division, TDCJ

DATE OF JUDGMENT: August 8, 2003

JUDGE PRESIDING: Joe Bob Golden

ATTORNEY FOR THE STATE: A. W Davis, Jr.

ATTORNEY FOR THE DEFENDANT: C. Haden Cribbs, Jr.

OFFENSE: Capital Murder

STATUTE FOR OFFENSE: Section 19.03, Penal Code

DEGREE OF OFFENSE: Capital Felony

APPLICABLE PUNISHMENT RANGE  
(including enhancements, if any):

An individual adjudged guilty of a capital felony in a case in which the state does not seek the death penalty shall be punished by imprisonment in the institutional division for life.

11:50 AM 8/8/03  
Brie Allen  
Newton County, Texas  
Deputy

DATE OF OFFENSE: May 2, 2003

CHARGING INSTRUMENT: Indictment

TERMS OF PLEA AGREEMENT  
(IN DETAIL): Defendant agreed to enter a plea of guilty to Attempted Capital Murder and Aggravated Robbery charges pending in Saline County, Arkansas in return for a life sentence under Arkansas law; and he further agreed to enter a plea of guilty to the Capital Murder charged in this case in return for the State's not seeking the death penalty. The Arkansas life sentence and the Texas life sentence are to run concurrently, but should the Defendant ever be released from prison in Texas he will immediately be transported to Arkansas to complete his life sentence under Arkansas law.

Guilty

PLEA TO OFFENSE:

PLEA TO ENHANCEMENT

PARAGRAPH(S): Not Applicable

VERDICT FOR OFFENSE: Guilty

Not Applicable

FINDING ON ENHANCEMENT:

AFFIRMATIVE FINDING ON DEADLY

Not Applicable

WEAPON:

OTHER AFFIRMATIVE SPECIAL

FINDINGS: Not Applicable

DATE SENTENCE IMPOSED: August 8, 2003

PUNISHMENT AND PLACE OF

CONFINEMENT:

Defendant is to receive a Life Sentence in the  
Institutional Division of the Texas Department of

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TIME CREDITED TO SENTENCE: Criminal Justice.  
COURT COSTS: July 9, 2003 - August 8, 2003  
TOTAL AMOUNT OF RESTITUTION: \$198.00  
NAME AND ADDRESS FOR RESTITUTION: None  
RESTITUTION: Not Applicable

The Sex Offender Registration Requirements under Chapter 62, CCP, do not apply to the Defendant. The age of the victim at the time of the offense was not applicable.

On the date stated above, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by the attorney stated above, and the Defendant and the Defendant's attorney, as stated above, were also present. Thereupon both sides announced ready for trial, and the Defendant, Defendant's attorney, and the State's attorney agreed in open court and in writing to waive a jury in the trial of this cause and to submit it to the Court. The Court consented to the waiver of a jury. The Defendant further waived the reading of the indictment and, upon being asked by the Court as to how the defendant pleaded, entered a plea of Guilty to the offense of Capital Murder, as alleged in the charging instrument. Furthermore, as to the enhancement paragraphs, if any, the Defendant entered a plea as stated above.

Thereupon, the Defendant was admonished by the Court of the consequences of the plea(s); it appeared to the Court that the Defendant was competent to stand trial and that the defendant was not influenced in making said plea(s) by any consideration or fear or by any persuasion prompting a confession of guilt; and the Court received the free and voluntary plea(s), which are now entered of record in the minutes of the court. The Court proceeded to hear evidence from the State and the Defendant and, having heard argument of counsel, found there was sufficient evidence to support the Defendant's plea and found the Defendant "GUILTY" of the offense stated above, found it was committed on the date(s) stated above, and made a finding on the enhancement paragraphs, if any, as stated above. A presentence investigation report was not required or done. The Court then assessed punishment as stated above.

And thereupon the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded to pronounce sentence upon said Defendant as stated above.

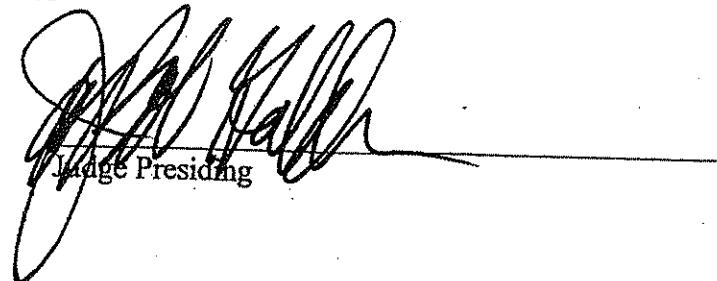
It is therefore ORDERED, ADJUDGED and DECREED by the Court that the defendant is guilty of the offense of Capital Murder as stated above, the punishment is fixed at Life Imprisonment in the Institutional Division of the Texas Department of Criminal Justice as stated above, and the State of Texas do have and recover of said defendant all court costs in this prosecution expended, for which execution will issue.

It is ORDERED by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of this county and be safely conveyed and delivered to the Director, Institutional Division-TDCJ, there to be confined in the manner and for the period aforesaid, and the said defendant is hereby remanded to the custody of the Sheriff of this county until such time as the Sheriff can obey the directions of this sentence. The defendant is given credit as stated above on this sentence for the time spent in county jail. The Defendant also is ordered to pay restitution to the person(s) named above in the amount specified above.

Furthermore, the following special findings or orders apply:

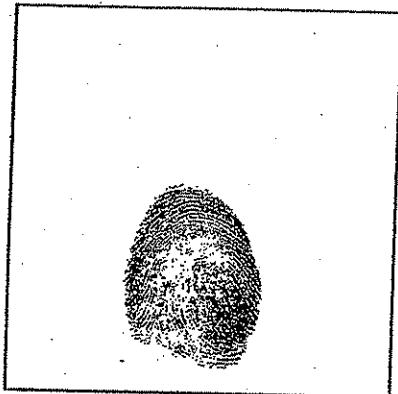
Not Applicable

Signed on the 8<sup>th</sup> day of August, 2003



Judge Presiding

Defendant's right thumbprint



I certify this to be a true and correct copy  
of the original on file in the District Clerk's  
Office, Houston County, Texas.

Bruce Allen, District Clerk

Date: 7/14/03

Att & Date: S2: Judgment of Conviction by Court; Direct Sentence, Cause No. ND 5380; Page 3

By: Dale Miller

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**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

(817)831-8383

FAX (817)831-8306

September 8, 2004

Parmer County District Clerk  
PO Box 195  
Farwell, Texas 79325

Dear Sir/Ma'am,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

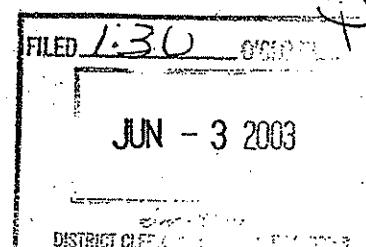
NAME OF COUNTY ARMER

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	1. Jose Adam Gomez - Pending
2002	0
2001	0
2000	0
1999	0

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The Grand Jurors for the County of Parmer, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the March 2003 Term, of the 287th Judicial District Court of said County, upon their oaths present in and to said Court, that JOSE ADAM GOMEZ, on or about the 13<sup>th</sup> day of April, 2003, and before the presentment of this indictment, in said County and State, did then and there intentionally or knowingly cause the death of an individual, namely, Sgt. Jose Arturo Herrera, by intentionally causing his automobile to crash into the officer's automobile, and the said Sgt. Jose Arturo Herrera was then and there a peace officer who was acting in the lawful discharge of an official duty, to-wit: attempting to stop and arrest the defendant, and the defendant knew Sgt. Jose Arturo Herrera was a peace officer.



Against the peace and dignity of the State of Texas.

A CERTIFIED COPY

*Johnny Atkinson*  
JOHNNY ATKINSON  
District Attorney

*Johnny Atkinson*  
JOHNNY ATKINSON  
District Attorney  
Foreperson of the Grand Jury

382

THE STATE OF TEXAS

VS.

JOSE ADAM GOMEZ

§  
§  
§  
§  
§

IN THE DISTRICT COURT OF  
PARMER COUNTY, TEXAS  
287TH JUDICIAL DISTRICT

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

Judge Presiding: GORDON H. GREEN

Judgment Date: April 29, 2004

Attorney  
for State: JOHNNY ACTKINSON

Attorney  
for Defendant: MARK SNODGRASS and  
DENNIS R REEVES  
appointed

Offense convicted of: capital murder

Degree: Capital Felony

Offense date: 4-13-2003

Charging instrument: Indictment

Plea: Guilty

Terms of plea bargain (in detail):

life - confinement; \$278.00 court costs.

To begin after the term of years assessed with conviction in Randall County District Court case # 14959B has ceased to operate. Pursuant to Article 42.08, C.C.P., this shall be a stacked, cumulative or consecutive sentence.

Plea to enhancement  
paragraph(s): n/a

Findings on  
enhancement: n/a

Findings on use  
of deadly weapon: n/a

Date sentence imposed: April 29, 2004

Court Costs \$ 278.00

Date sentence to commence: April 29, 2004

Atty fees \$ \_\_\_\_\_

Punishment term and place of confinement: life - TDCJ - Institutional Division

Time credited: April 13, 2003.

Amount of restitution: \$ \_\_\_\_\_  
Restitution to be paid to:

On the 29<sup>th</sup> day of April, , 2004, this cause was called for trial and the State appeared by her Attorney, and the Defendant, JOSE ADAM GOMEZ, appeared in person, Defendant's appointed counsel, MARK SNODGRASS and DENNIS R REEVES, also being present.

The said Defendant, having been duly arraigned in open Court, both parties announced ready for trial, and the said Defendant in open Court in person, pleaded guilty to the charge contained in the indictment herein.

Thereupon the said Defendant was admonished by the Court of the range of punishment attached to the offense charged and of the consequences of said plea, and the said Defendant persisted in pleading guilty; and it plainly appearing to the Court that the said Defendant is mentally competent, that Defendant's plea is free and voluntary, and that Defendant is uninfluenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon, prompting Defendant to confess Defendant's guilt, the said plea of guilty is by the Court received, and is here now entered of record upon the minutes of the Court as the plea herein of said Defendant.

Case No. 1407-00703-Y Document 85-17 Filed 11/03/17 Page 50 of 101 Page ID 7159  
The Defendant further states that he has given his consent and approval of the Court's waiver of the right of a trial by jury, and whereas such consent and approval, of the attorney representing the State, in writing duly signed by said attorney, was filed in the papers in said cause before the Defendant entered the plea of guilty, and it appears that all prerequisites required by law for the waiving of this right have been performed, and the Court here and now gives its consent and approval for the said Defendant to waive the right of a trial by jury.

Whereupon the Defendant proceeded to trial before the Court, who having heard and considered the pleadings and evidence offered, is of the opinion therefrom that the said Defendant is guilty of the offense committed by Defendant on or about the 13<sup>th</sup> day of April, 2003, to wit: capital murder.

IT IS THEREFORE CONSIDERED AND ADJUDGED by the Court that the Defendant is guilty of the offense charged as found by the Court and that Defendant's punishment has been set by confinement in the penitentiary for life, and the State of Texas do have and recover of the said Defendant all costs in this prosecution expended for which execution will issue.

This sentence shall be stacked, run consecutive and cumulate the punishment after the sentence received by the Defendant, JOSE ADAM GOMEZ, in cause No. 14959B, in the District Court of Randall County, Texas has ceased to operate.

The State appeared by its Attorney, and came the Defendant, in person, and Defendant's attorney, also being present. The Court does not require a presentence investigation pursuant to Article 42.12 Section 9(g) (4) of the Texas Code of Criminal Procedure. The Court thereupon asked the Defendant if Defendant had anything to say why the Sentence should not be pronounced against Defendant, to which Defendant answered, Defendant had not, whereupon the Court in the presence of said Defendant pronounced sentence against Defendant as follows:

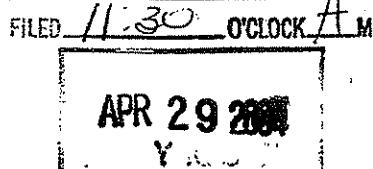
IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the Defendant, who has been adjudged to be guilty of the offense charged, be delivered to the Sheriff of said county, who shall hold Defendant in custody and in jail, pursuant to Texas law, for local confinement, or until he is able to convey Defendant to the agents of the Texas Department of Criminal Justice, Institutional Division, the State Penitentiary, or other person legally authorized to receive such convict, to be confined and imprisoned for a term of life, and all costs in this behalf expended, for which execution will issue, the punishment assessed in accordance with the provisions of the law governing the penitentiaries of said State, and the said Defendant is remanded to jail until the said Sheriff can carry out the directions of this sentence.

THIS SENTENCE SHALL COMMENCE AFTER THE PRIOR SENTENCE IN CAUSE NUMBER 14959B IN THE DISTRICT COURT OF RANDALL COUNTY, TEXAS HAS CEASED TO OPERATE.

The Defendant is hereby granted credit on Defendant's sentence under the provisions of Article 42.03, V.A.C.C.P., for April 13, 2003.

SIGNED AND ORDERED ENTERED this the 29<sup>th</sup> day of April, 2004.

GORDON H. GREEN  
JUDGE PRESIDING



DISTRICT COURT OF RANDALL COUNTY, TEXAS one as of the date of judgment.

TAKEN BY: Cpl. D. D. Green  
DEPUTY SHERIFF

RANDALL FARMER COUNTY, TEXAS  
Defendant's Fingerprints

Right Hand

Finger Impressions - Right Hand

381



**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

(817)831-8383

FAX (817)831-8306

September 8, 2004

Kim Wells, District Clerk  
San Saba County  
500 E. Wallace  
San Saba, Texas 76877

Dear Ms. Wells,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	1
2002	0
2001	0
2000	0
1999	0

**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

**(817)831-8383**

**FAX (817)831-8306**

September 8, 2004

Kim Wells, District Clerk  
San Saba County  
500 E. Wallace  
San Saba, Texas 76877

Dear Ms. Wells,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

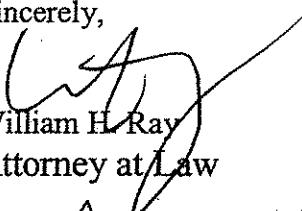
What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

  
William H. Ray  
Attorney at Law

None in the time frame of 99-03,  
I have (1) case set for Trial 10-18-04.



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**WILLIAM H. "BILL" RAY, P.C.**

**ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

**(817)831-8383**

**FAX (817)831-8306**

September 8, 2004

Lydia Steele  
Uvalde County District Clerk  
Courthouse Plaza, Box 15  
Uvalde, Texas 78801

Dear Ms. Steele,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

THE STATE OF TEXAS ) IN THE 38TH JUDICIAL DISTRICT  
VS. )  
GEORGE LESLEY CANTRELL ) DISTRICT COURT OF  
 ) UVALDE COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Lydia Steele, who, being by me duly sworn, deposed as follows:

"My name is Lydia Steele, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the District Clerk's Office of Uvalde County, Texas. Attached hereto are 3 pages of information obtained from records from the District Clerk's Office of Uvalde County, Texas. This information is kept by the District Clerk's Office of Uvalde County, Texas in the regular course of business, and it was the regular course of business of the District Clerk's Office of Uvalde County, Texas for an employee or representative of the District Clerk's Office of Uvalde County, Texas, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit the information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The information contained in the attached page is obtained from the records in the District Clerk's Office and represents the exact number of capital murder cases filed for the years indicated in this county."

Lydia Steele

AFFIANT - Lydia Steele - District Clerk

SWORN TO AND SUBSCRIBED before me on the 31st day of July, 2003.

Rebecca Urbina  
REBECCA URBINA - CHIEF DEPUTY

38TH JUDICIAL DISTRICT - UVALDE COUNTY, TEXAS

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	none
2002	none
2001	1
2000	none
1999	none

THE STATE OF TEXAS

VS.

GEORGE LESLEY CANTRELL, JR.

D.O.B.: 09/02/1967

ADDRESS: 1290 River Road  
New Braunfels, Texas

CAUSE NO.: 01-03-9991-CR  
AGENCY CASE NO.:  
INDICTED: 03/01/2001 AGENCY: UCSO  
ARREST DATE:  
CHARGE: Capital Murder  
[Capital Felony]

AMOUNT OF BAIL: Same (No bond)

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Count I.

The duly organized Grand Jury of Uvalde County, Texas, presents in the District court of Uvalde County, Texas, that in Uvalde County, Texas, George Lesley Cantrell, Jr., hereinafter styled the defendant(s), heretofore on or about February 23, 2001, did then and there intentionally cause the death of an individual, namely, Roger W. Garrison, by shooting the victim with a firearm or handgun, and the defendant was then and there in the course of committing or attempting to commit the offense of Kidnapping of Melody Bice.

Count II.

It is further presented to the duly organized Grand Jury of Uvalde County, Texas, presents in the District court of Uvalde County, Texas, that in Uvalde County, Texas, George Lesley Cantrell, Jr., hereinafter styled the defendant(s), heretofore on or about February 23, 2001, did then and there intentionally cause the death of an individual, namely, Roger W. Garrison, by shooting the victim with a firearm or handgun, and the defendant was then and there in the course of committing or attempting to commit the offense of Burglary of a Habitation of Roger W. Garrison; who was the owner of the habitation..

against the peace and dignity of the State.

R.S. Torren  
Foreman of the Grand Jury

\*\*\*\*\*

## INDICTMENT

Filed on the 1<sup>st</sup> day of March, 2001. Lydia Steele, Clerk of the District Court, Uvalde County,

Texas.

BY: Lydia Steele, District Clerk

---

COUNTY OF UVALDE

THE STATE OF TEXAS

I, Lydia Steele, Clerk of the 38<sup>th</sup> District Court of Uvalde County, Texas, do hereby certify that the within and foregoing is a true and correct copy of the Original Bill of Indictment, filed in said Court on the 1<sup>st</sup> day of March, 2001, in Cause No. 01-03-9991-CR, styled the State of Texas vs. George Lesley Cantrell, Jr.

Lydia Steele  
CLERK

BY: \_\_\_\_\_  
Deputy

---

WITNESS:

Charles Mendeke

STATE OF TEXAS  
COUNTY OF UVALDE

I, Lydia Steele, District Clerk of Uvalde County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession,

filed on: 3-01-01 as appears

in file in my office.

Witness my official hand and seal of office, this

9-20-04

Lydia Steele, District Clerk  
Uvalde County, Texas

394

R. L. Steele Deputy

THE STATE OF TEXAS  
VS.  
GEORGE L. CANTRELL

IN THE 38<sup>TH</sup> JUDICIAL  
DISTRICT COURT OF  
UVALDE COUNTY, TEXAS

**JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL**

Date of Judgment: 9/5/02  
 Judge Presiding: Mickey R. Pennington  
 Attorney for State: Anton E. Hackebeil/G. Dale Gear Jr.  
 Attorney for Defendant: JERRY EVANS/EMMETT HARRIS  
 Offense Convicted Of: CAPITAL MURDER  
 P.C. 19.03 (a)(2)  
 Date Offense Committed: 2/23/01  
 Degree: CAPITAL FELONY  
 Charging Instrument: Indictment  
 Plea: Guilty  
 Plea to Enhancement Paragraph(s): N/A  
 Findings on Enhancement: N/A

Terms of Plea Bargain (In Detail): For Defendant's plea of guilty he is to serve LIFE in the Texas Department of Criminal Justice-Institutional Division, case to run CONSECUTIVELY with Guadalupe County cause no.01-0371.

Findings of Use of Deadly Weapon: AFFIRMATIVE

Date Sentence Imposed: 9/5/02  
 Costs: \$0.00

Punishment and Place of Confinement: Defendant is to serve LIFE in the Texas Department of Criminal Justice-Institutional Division.

Date to Commence: 9/5/02  
 Time Credited: -153- Days  
 Concurrent unless otherwise specified: N/A

Total Amount of Restitution/Reparation: N/A.

Restitution to be Paid To:

Address: District Clerk  
 Courthouse  
 Uvalde, Texas 78801

VNL 088 186

FILED 3:40 PM 10-28-2002  
 LYDIA STEELE 335  
 CLERK DISTRICT COURT, UVALDE COUNTY, TEXAS  
 BY Melissa Sandoval DEPUTY

This day this cause was called for trial and the State appeared by her District Attorney, Anton E. Hackebeil, and the Defendant, GEORGE L. CANTRELL, appeared in person with counsel, JERRY EVANS AND EMMETT HARRIS who was also present, and both parties announced ready for trial and defendant in open court, in person, pleaded guilty to the charge in the 1st count of the indictment. Thereupon the said defendant was admonished by the Court of the consequences of said plea, including the range of the punishment attached to the offense; the fact that any recommendation of the prosecuting attorney as to punishment is not binding on the court and the court inquired of said defendant if said plea was voluntarily made, and said defendant persisted in pleading guilty; and it plainly appearing to the Court that the said defendant is sane and that he/she is uninfluenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon, prompting him/her to enter his/her plea of guilty, the said plea of guilty is by the Court received; the court finds that such plea was freely and voluntarily made, and here now entered of record upon the minutes of the Court as the plea herein of said defendant. Thereupon the defendant requested the consent and approval of the Court to waive the right of a trial by a jury, and whereas such consent and approval of the duly elected and acting attorney representing the State, in writing duly signed by said attorney, was filed in the papers in said cause before the defendant entered the plea of guilty, and it appears that all prerequisites required by law for the waiving of this right have been performed. Therefore the Court now gives its consent and approval for the said defendant to waive the right of a trial by a jury;

Whereupon the defendant proceeded to trial before the Court, who having heard and considered the pleading and evidence offered, is of the opinion therefrom that the defendant is guilty of the offense charged against him/her in the 1st count of the indictment.

It is therefore considered and adjudged by the Court that the defendant, is guilty of the offense of CAPITAL MURDER, and that he/she be punished by confinement in the Texas Department of Criminal Justice-Institutional Division for a term of LIFE, and that the State of Texas do have and recover of the said defendant all costs in this prosecution expended, for which execution will issue.

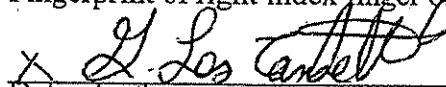
  
PRESIDING JUDGE

10-23-02

DATE SIGNED

Notice of Appeal: No

Fingerprint of right index finger of Defendant,

  
X G. Los Cantrell  
Defendant's signature

STATE OF TEXAS  
COUNTY OF UVALDE

I, Lydia Steele, District Clerk of Uvalde County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession,

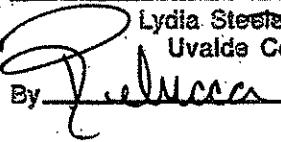
filed on: 10-28-02 as appears

VOL 88, pg 186-187 in my office.

Witness my official hand and seal of office, this

VOL 088 187

9-20-04

  
Lydia Steele, District Clerk  
Uvalde County, Texas

By Rebecca Holmes Deputy

306

NO.: 01-023-9991-CR

THE STATE OF TEXAS

VS.

GEORGE L. CANTRELL§  
§  
§IN THE DISTRICT COURT  
OF UVALDE COUNTY  
38TH JUDICIAL DISTRICT  
OF TEXAS  
September TERM A.D.,  
2002  
DATE: September 5, 2002

This day this cause being again called, the State appeared by her District Attorney, Anton E. Hackebeil, and the Defendant, GEORGE L. CANTRELL, appeared in person in open court, his/her legal Counsel, JERRY EVANS AND EMMETT HARRIS, also being present, and the Defendant thereupon in open court waived time for filing motion for new trial and motion in arrest of Judgment and did then and there elect to accept his/her sentence. Thereupon, the Defendant was asked by the Court whether he/she had anything to say why sentence should not be pronounced against him/her and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of the said Defendant to pronounce sentence against him/her as follows:

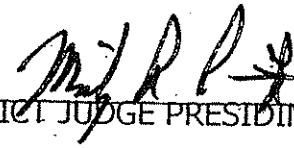
It is the order of the Court that the Defendant, who has been adjudged to be guilty of a felony, to-wit: CAPITAL MURDER, and whose punishment has been assessed by the Court at confinement in the Texas Department of Criminal Justice-Institutional Division for LIFE, is hereby sentenced to confinement in the Texas Department of Criminal Justice-Institutional Division, for a term of LIFE, and he/she shall be delivered by the Sheriff of Uvalde County, Texas, or other authorized agent of the State of Texas, immediately to the Director of the Texas Department of Criminal Justice-Institutional Division, or other person legally authorized to receive such convicts for the purpose of serving such sentence in accordance with the provisions of the law governing penitentiaries and the Texas Department of Criminal Justice-Institutional Division of this State; it is further ordered by the Court that the Defendant be credited on

AM 10-28 2002  
FILED 341 PM LYDIA STEELE  
CLERK DISTRICT COURT, UVALDE COUNTY, TEXAS 97  
BY Melissa Sandoval DEPUTY

VAL 088 188

this sentence with 153 [one hundred and fifty three] days on account of time spent in jail in said cause  
Case 4:07-cv-00703-Y Document 85-17 Filed 11/03/17 Page 64 of 101 PageID 7173  
since his/her arrest and confinement until sentence was pronounced by this Court. And the said  
Defendant is hereby remanded to jail until said Sheriff can obey the directions of this sentence.

**SIGNED** this the 23 day of October, 2002.

  
DISTRICT JUDGE PRESIDING

STATE OF TEXAS  
COUNTY OF UVALDE

I, Lydia Steele, District Clerk of Uvalde County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession,

filed on: 10-28-02 as appears  
VOL. 88, pg 188, 189 in my office.  
Witness my official hand and seal of office, this

9-20-04  
  
Lydia Steele, District Clerk  
Uvalde County, Texas  
By Rebecca O'Brien Deputy

VOL. 088 189



**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

**(817)831-8383**

**FAX (817)831-8306**

September 8, 2004

Karen Wilson, District Clerk  
Van Zandt County  
121 E. Dalls, Ste. 302  
Canton, Texas 75103

Dear Ms. Wilson,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

THE STATE OF TEXAS ) IN THE 213TH  
VS. )  
 ) DISTRICT COURT OF  
BILLY JACK CRUTSINGER ) ) TARRANT COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Karen L. Liles, who, being by me duly sworn, deposed as follows:

"My name is Karen L. Liles. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the District Clerk's Office of Tarrant County, Texas. Attached hereto are 1 page(s) of information obtained from records from the District Clerk's Office of Tarrant County, Texas. This information is kept by the District Clerk's Office of Tarrant County, Texas in the regular course of business, and it was the regular course of business of the District Clerk's Office of Tarrant County, Texas for an employee or representative of the District Clerk's Office of Tarrant County, Texas, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit the information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The information contained in the attached page is obtained from the records in the District Clerk's Office and represents the exact number of capital murder cases filed for the years indicated in this county."

Karen L. Liles  
AFFIANT

SWORN TO AND SUBSCRIBED before me on the 23 day of July, 2005.

Ruthie McAdoo NOTARY PUBLIC, STATE OF TEXAS



CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	
2002	
2001	3
2000	2
1999	



Karen Wilson  
District Clerk  
121 East Dallas Street, Room 302  
Canton, Texas 75103  
(903)567-6576

September 17, 2004

William H. "Bill" Ray, P.C.  
5041 Airport Freeway  
Fort Worth, TX 76117

Dear Mr. Ray:

Enclosed are certified copies of Judgments and one Dismissal, as requested in your letter of September 8, 2004. The cases on Mark Ashley White and John Stephen Lawson are still pending, as you can see on the enclosed Criminal Docket Listing.

Please contact us if we can be of further assistance.

Sincerely,

Karen Wilson, District Clerk

By Leanne Harris Deputy



CASE NO. PLAINTIFF NAME

CAUSE OF ACTION

DEFENDANT NAME ATTORNEY

FILE DATE DISP DATE

BOOK VOL PAGE

16349 THE STATE OF TEXAS	FILING BY INDICTMENT	FRANKLIN, RAUL HEAD, MIKE	04/06/2000 CAPITAL MURDER	12/19/2003	CRIM ✓	✓
16601 THE STATE OF TEXAS	FILING BY INDICTMENT	WILSON, MARK ANTHONY DIXON, DESLIE POUNTRE, D. A.	04/06/2000 CAPITAL MURDER	02/17/2004	CRIM ✓	
16601 THE STATE OF TEXAS	FILING BY INDICTMENT	JEREMY CYRUS BELLAH BILGER, BARRY E	02/05/2001 ARSON	02/07/2001	CRIM 26	199
16601 THE STATE OF TEXAS	MOTION TO REVOKE	JEREMY CYRUS BELLAH BILGER, BARRY E	08/07/2001 ARSON	05/08/2002	CRIM 26	199
16776 THE STATE OF TEXAS	FILING BY INDICTMENT	COLE, ARIAN JASON SKELTON, HENRY	11/04/2003 CRIM	01/08/2004	CRIM 26	199
16777 THE STATE OF TEXAS	FILING BY INDICTMENT	COLE, BRIAN JASON SKELTON, HENRY	08/02/2001 CRIM	01/05/2004	CRIM ✓	
16780 THE STATE OF TEXAS	FILING BY INDICTMENT	GREENWAY, PATRICK RYAN HOLMES, CLIFTON L	08/02/2001 CRIM	11/07/2003	CRIM ✓	
16781 THE STATE OF TEXAS	FILING BY INDICTMENT	GREENWAY, PATRICK RYAN HOLMES, CLIFTON L	08/02/2001 CRIM	11/07/2003	CRIM ✓	
16783 THE STATE OF TEXAS	FILING BY INDICTMENT	WHITE, MARK ASHLEY WHITE, JEFFERY H	08/02/2001 CRIM	/ /	CRIM ✓	
16784 THE STATE OF TEXAS	FILING BY INDICTMENT	WHITE, MARK ASHLEY ELLIOTT, JOEL C	08/02/2001 CRIM	/ /	CRIM MURDER-CRIMINAL ATTEMPT TO COMMIT	
16785 THE STATE OF TEXAS	FILING BY INDICTMENT	LAWSON, JOHN STEPHEN JONES, DENNIS	12/30/2003 CRIM	/ /		

CAUSE NO. 16,349

THE STATE OF TEXAS

S IN THE DISTRICT COURT

VS.

S 294TH JUDICIAL DISTRICT

RAUL FRANKLIN AKA  
Muri Morris

S VAN ZANDT COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

Synopsis of The Judgment

Judge Presiding:  
TERESA A. DRUM

Date Of Judgment:  
December 19, 2003

Attorney For The State:  
LESLIE POYNTER DIXON

Attorney For Defendant:  
MIKE HEAD

Charging Instrument: Indictment Plea: Guilty

Terms of plea bargain: Punishment be assessed at forty-four (44) years in TDCJ-ID; \$272.25 court cost

Offense Convicted Of: Murder

Degree: First

Date offense committed: December 30, 1999

Findings On Use Of Deadly Weapon: NA

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Forty-four (44) years

Fine: \$-0-

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: December 19, 2003

Date Of Sentence: December 19, 2003

Credit Time: 3-29-2000 - 12-18-03

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$-0-

Concurrent Unless  
Otherwise Specified

Restitution to be Paid to:



I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.

R. Deanne Franklin  
DEPUTY CLERK

406

Text Of The Judgment

This case was called for trial on December 19, 2003. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, MIKE HEAD. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the indictment and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Murder, a felony of the First DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Forty-four (44) years and by a FINE of \$-0-.

The Court finds beyond a reasonable doubt that the offense was committed on December 30, 1999.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$-0-.

The Court makes the following findings concerning use of a deadly weapon: NA.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of Murder, a felony of the First DEGREE; that the Defendant make restitution

to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Forty-four (44) years and by a FINE of \$-0-, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

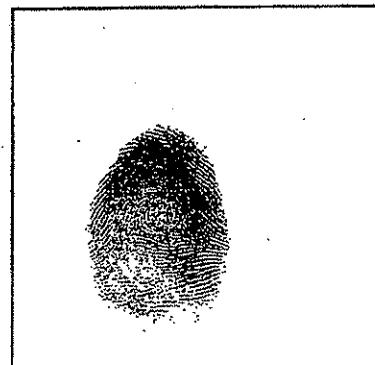
It being the judgment of this court that the defendant, RAUL FRANKLIN is guilty of the offense of Murder and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Forty-four (44) years and by a fine of \$-0-, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

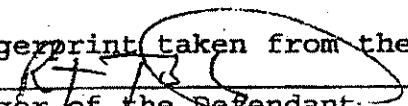
The defendant is given credit for 3-29-2000 - 12-18-03 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on December 19, 2003.

Signed and entered on this date: \_\_\_\_\_

  
TERESA A. DRUM  
JUDGE PRESIDING



Fingerprint taken from the  
  
finger of the Defendant

THE STATE OF TEXAS

VS.

MARK ANTHONY WILSON

\* IN THE DISTRICT COURT

\* 294TH JUDICIAL DISTRICT

\* VAN ZANDT COUNTY, TEXAS

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the State of Texas, by and through her duly qualified Criminal District Attorney or Assistant Criminal District Attorney in and for Van Zandt County, Texas, and respectfully requests the Court to dismiss the above entitled and numbered criminal action in which the defendant is charged with the offense of CAPITAL MURDER  
for the following reason:

CASE DISMISSED - REFILED AS CR04-00053

CLERK'S OFFICE  
VAN ZANDT CO., TX  
FEB 17 2004  
DP

WHEREFORE, it is prayed that the above entitled and numbered cause be dismissed.

Respectfully submitted,

Debbie Taylor Davis

ATTORNEY FOR THE STATE  
Criminal District Attorney's Office  
Van Zandt County, Texas  
202 N. Capitol  
Canton, Texas 75103  
903-567-4104  
telefax 903-567-6258  
State Bar No. 08327050

ORDER

The foregoing State's Motion to Dismiss having been presented to the Court, on the 17 day of Feb, 2004, and the same having been considered, it is, therefore, ORDERED, ADJUDGED AND DECREED that said above entitled and numbered cause be and the same is hereby dismissed.



I certify this to be a true and exact copy of the original on file in the District Clerk's Office, Van Zandt County, Texas.

By Debbie Davis  
DEPUTY

DRUM, TERESA A.

409

CAUSE NO. CRO4-00053

FILED FOR RECORD

AT 9 O'CLOCK M

THE STATE OF TEXAS

S

IN THE DISTRICT COURT

VS.

S

FEB 11 2004  
294TH JUDICIAL DISTRICT

MARK ANTHONY WILSON

S

KAREN WILSON, CLERK  
VAN ZANDT COUNTY, TEXAS

BY

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

Synopsis Of The Judgment

Judge Presiding:

TERESA A. DRUM

Date Of Judgment:

February 12, 2004

Attorney For The State:

LESLIE POYNTER DIXON

Attorney For Defendant:

RICHARD KENNEDY

Charging Instrument: Information Plea: Guilty

Terms of plea bargain: Punishment be assessed at twenty (20) years  
TDCJ-ID; \$272.25 court cost

Offense Convicted Of: Manslaughter

Degree: Second

Date offense committed: December 30, 1999

Findings On Use Of Deadly Weapon: NA

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Twenty (20) years

Fine: \$0-

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: February 12, 2004

Date Of Sentence: February 12, 2004

Credit Time: 1-13-2000 - 2-11-2004

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$0-

Concurrent Unless  
Otherwise Specified

Restitution to be Paid to:

CLERK  
COURT CLERK  
CLERK'S OFFICE  
CLERK'S OFFICE

I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.

By Debbie Davis  
DEPUTY

410

Text Of The Judgment

This case was called for trial on February 12, 2004. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, RICHARD KENNEDY. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the Information and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Manslaughter, a felony of the Second DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twenty (20) years and by a FINE of \$-0-.

The Court finds beyond a reasonable doubt that the offense was committed on December 30, 1999.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$-0-.

The Court makes the following findings concerning use of a deadly weapon: NA.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of

Manslaughter, a felony of the Second DEGREE; that the Defendant make restitution to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twenty (20) years and by a FINE of \$-0-, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

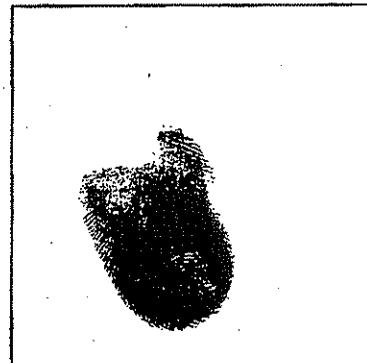
Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

It being the judgment of this court that the defendant, MARK ANTHONY WILSON is guilty of the offense of Manslaughter and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Twenty (20) years and by a fine of \$-0-, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

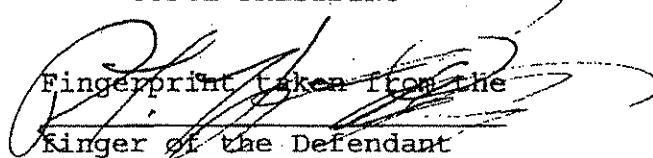
The defendant is given credit for 1-13-2000 - 2-11-2004 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on February 12, 2004.

Signed and entered on this date: \_\_\_\_\_



TERESA A. DRUM  
JUDGE PRESIDING

  
Fingerprint taken from the  
finger of the Defendant

2007-07-20  
11:59 AM

CAUSE NO. 16,777

THE STATE OF TEXAS

S IN THE DISTRICT COURT

VS.

S 294TH JUDICIAL DISTRICT

BRIAN JASON COLE

S VAN ZANDT COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

Synopsis of The Judgment

Judge Presiding:

TERESA A. DRUM

Date Of Judgment:

January 5, 2004

Attorney For The State:

LESLIE POYNTER DIXON

Attorney For Defendant:

JOHN YOUNGBLOOD

Charging Instrument: Indictment Plea: Guilty

Terms of plea bargain: Punishment be assessed at eight (8) years  
at TDCJ-ID; \$272.25 court cost

Offense Convicted Of: Aggravated Assault

Degree: Second

Date offense committed: July 14, 2001

Findings On Use Of Deadly Weapon: True, A Firearm

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Eight (8) years

Fine: \$-0-

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: January 5, 2004

Date Of Sentence: January 5, 2004

Credit Time: 7-14-01 - 1-4-04

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$-0-

Concurrent Unless  
Otherwise Specified

Restitution to be Paid to:



I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.  
By Deanne Lee  
DEPUTY

413

This case was called for trial on January 5, 2004. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, JOHN YOUNGBLOOD. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the indictment and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Aggravated Assault, a felony of the Second DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Eight (8) years and by a FINE of \$-0-.

The Court finds beyond a reasonable doubt that the offense was committed on July 14, 2001.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$-0-.

The Court makes the following findings concerning use of a deadly weapon: True, A Firearm.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of

Aggravated Assault, a felony of the Second DEGREE; that the Defendant make restitution to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Eight (8) years and by a FINE of \$-0-, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

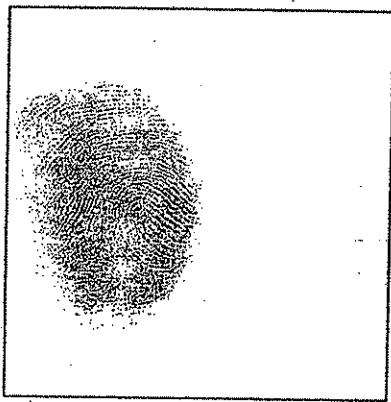
Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

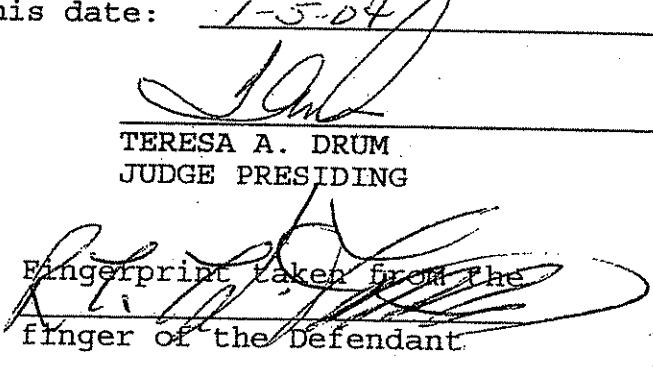
It being the judgment of this court that the defendant, BRIAN JASON COLE is guilty of the offense of Aggravated Assault and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Eight (8) years and by a fine of \$-0-, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

The defendant is given credit for 7-14-01 - 1-4-04 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on January 5, 2004.

Signed and entered on this date: 1-5-04

  
TERESA A. DRUM  
JUDGE PRESIDING

  
Fingerprint taken from the  
finger of the defendant

CAUSE NO. 16,776

THE STATE OF TEXAS

S

IN THE DISTRICT COURT

VS.

S

294TH JUDICIAL DISTRICT

BRIAN JASON COLE

S

VAN ZANDT COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

S y n o p s i s   O f   T h e   J u d g m e n t

Judge Presiding: Date Of Judgment:  
TERESA A. DRUM January 5, 2004

Attorney For The State: Attorney For Defendant:  
LESLIE POYNTER DIXON JOHN YOUNGBLOOD

Charging Instrument: Indictment Plea: Guilty

Terms of plea bargain: Punishment be assessed at twelve (12) years  
at TDCJ-ID; \$272.25 court cost

Offense Convicted Of: Manslaughter

Degree: Second

Date offense committed: July 14, 2001

Findings On Use Of Deadly Weapon: True, A Firearm

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Twelve (12) years

Fine: \$-0-

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: January 5, 2004

Date Of Sentence: January 5, 2004

Credit Time: 7-14-01 - 1-4-04

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$-0-

Concurrent Unless Restitution to be Paid to:  
Otherwise Specified



I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.  
*Deputy Clerk*  
DEPUTY CLERK

416

Text Of The Judgment

This case was called for trial on January 5, 2004. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, JOHN YOUNGBLOOD. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the indictment and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Manslaughter, a felony of the Second DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twelve (12) years and by a FINE of \$-0-.

The Court finds beyond a reasonable doubt that the offense was committed on July 14, 2001.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$-0-.

The Court makes the following findings concerning use of a deadly weapon: True, A Firearm.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of **417**

Manslaughter, a felony of the Second DEGREE; that the Defendant make restitution to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twelve (12) years and by a FINE of \$-0-, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

It being the judgment of this court that the defendant, BRIAN JASON COLE is guilty of the offense of Manslaughter and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Twelve (12) years and by a fine of \$-0-, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

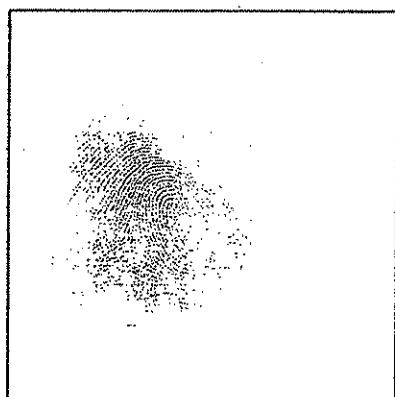
The defendant is given credit for 7-14-01 - 1-4-04 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on January 5, 2004.

Signed and entered on this date: 1-5-04

TERESA A. DRUM  
JUDGE PRESIDING

Fingerprint taken from the  
finger of the Defendant



CAUSE NO. 16,780

THE STATE OF TEXAS

S

IN THE DISTRICT COURT

VS.

S

294TH JUDICIAL DISTRICT

PATRICK RYAN GREENWAY

S

VAN ZANDT COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

Synopsis of The Judgment

Judge Presiding:  
TERESA A. DRUM

Date Of Judgment:  
November 7, 2003

Attorney For The State:  
LESLIE POYNTER DIXON

Attorney For Defendant:  
Clifton "Scrappy" Holmes

Charging Instrument: Indictment Plea: Guilty

Terms of plea bargain: Punishment be assessed at forty (40) years  
TDCJ-ID; \$10,000 fine; \$272.25 court cost

Offense Convicted Of: Murder

Degree: First

Date offense committed: July 14, 2001

Findings On Use Of Deadly Weapon: Firearm

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Forty (40) years

Fine: \$10,000

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: November 7, 2003

Date Of Sentence: November 7, 2003

Credit Time: 7-14-01 - 11-6-03

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$-0-

Concurrent Unless Restitution to be Paid to:  
Otherwise Specified

I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.  
By: Deputy  
DEPUTY

AT FILED FOR RECORD  
BY KAREN WACHTER NOV 7 2003  
294TH JUDICIAL DISTRICT  
VAN ZANDT COUNTY, TEXAS  
CLERK

419

Text Of The Judgment

This case was called for trial on November 7, 2003. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, Clifton "Scrappy" Holmes. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the indictment and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Murder, a felony of the First DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Forty (40) years and by a FINE of \$10,000.

The Court finds beyond a reasonable doubt that the offense was committed on July 14, 2001.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$0-.

The Court makes the following findings concerning use of a deadly weapon: Firearm.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of Murder, a felony of the First DEGREE; that the Defendant make restitution

to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Forty (40) years and by a FINE of \$10,000, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

It being the judgment of this court that the defendant, PATRICK RYAN GREENWAY is guilty of the offense of Murder and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Forty (40) years and by a fine of \$10,000, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

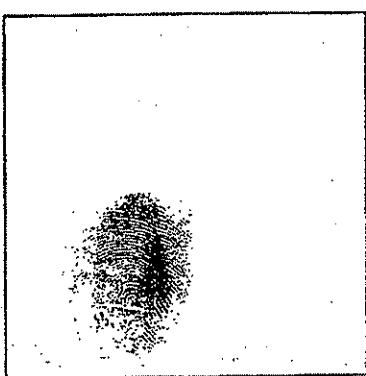
The defendant is given credit for 7-14-01 - 11-6-03 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on November 7, 2003.

Signed and entered on this date: \_\_\_\_\_

  
TERESA A. DRUM  
JUDGE PRESIDING

Fingerprint taken from the  
  
finger of the Defendant



SEARCHED  
INDEXED

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CAUSE NO. 16,781

THE STATE OF TEXAS

S

IN THE DISTRICT COURT

VS.

S

294TH JUDICIAL DISTRICT

PATRICK RYAN GREENWAY

S

VAN ZANDT COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY BEFORE COURT  
WAIVER OF JURY TRIAL

## Synopsis of The Judgment

Judge Presiding:

TERESA A. DRUM

Date Of Judgment:

November 7, 2003

Attorney For The State:

LESLIE POYNTER DIXON

Attorney For Defendant:

Clifton "Scrappy" Holmes

Charging Instrument: Indictment Plea: Guilty

Terms of plea bargain: Punishment be assessed at twenty (20) years  
TDCJ-ID; \$10,000 fine; \$272.25 court cost

Offense Convicted Of: Murder

Degree: Second

Date offense committed: July 14, 2001

Findings On Use Of Deadly Weapon: Firearm

Punishment Imposed And Place Of Confinement:

Term Of Confinement: Twenty (20) years

Fine: \$10,000

Place of confinement: INSTITUTIONAL DIVISION OF THE TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE

Date to Commence: November 7, 2003

Date Of Sentence: November 7, 2003

Credit Time: 7-14-01 - 11-6-03

Costs: \$272.25

Fee: \$50.00 Van Zandt County Crime Stopper's Fee

Total Amount Of Restitution: \$0-

Concurrent Unless  
Otherwise Specified

Restitution to be Paid to:



I certify this to be a true and  
exact copy of the original on file  
in the District Clerk's Office,  
Van Zandt County, Texas.

By Suzanne Powers  
DEPUTY

422

AT FILED FOR RECORD  
NOV 02 2003  
KAREN WILSON, CLERK  
VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT CLERK

Text Of The Judgment

This case was called for trial on November 7, 2003. The parties appeared and announced ready for trial. The following attorneys appeared: for the State, LESLIE POYNTER DIXON; for the defendant, Clifton "Scrappy" Holmes. The defendant was personally present with his counsel during the trial.

The defendant waived trial by jury. The Court approved the waiver after finding that all of the requirements of Article 1.13, Texas Code of Criminal Procedure, had been met.

Defendant waived reading of the indictment and entered a plea of Guilty to the offense alleged. The Court inquired as to the existence of any plea bargaining agreement. The parties informed the Court that one existed and advised the Court of its terms. Before making any finding on the plea the Court informed the defendant that it would follow the agreement.

Before accepting the plea, the defendant was advised by the Court of the elements of the offense, of the applicable range of punishment, and further admonished as required by Article 26.13, Texas Code of Criminal Procedure. The defendant was further advised that if the defendant was not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

Before accepting the plea, the court found that the defendant was mentally competent; that his plea was being made knowingly, freely, and voluntarily; and that, based on representations by defendant and his counsel, he had received effective assistance of counsel.

Evidence was submitted on the issues of guilt and punishment.

The Court accepted the defendant's plea of Guilty, and based on the evidence submitted, the Court finds beyond a reasonable doubt that the defendant is guilty of the offense of Murder, a felony of the Second DEGREE, and assesses punishment at confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twenty (20) years and by a FINE of \$10,000.

The Court finds beyond a reasonable doubt that the offense was committed on July 14, 2001.

The Court further finds beyond a reasonable doubt that the Defendant as a result of his criminal conduct caused the victim in this case monetary damages in the amount of \$-0-.

The Court makes the following findings concerning use of a deadly weapon: Firearm.

In accordance with these findings, it is ordered, adjudged, and decreed that the defendant is guilty of the offense of Murder, a felony of the Second DEGREE; that the Defendant make restitution

to the victim in this case in the amount of \$-0-; that Defendant be punished by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a TERM of Twenty (20) years and by a FINE of \$10,000, and that the State of Texas have and recover of the Defendant all costs for this prosecution in the amount of \$272.25 and the fine for which let execution issue.

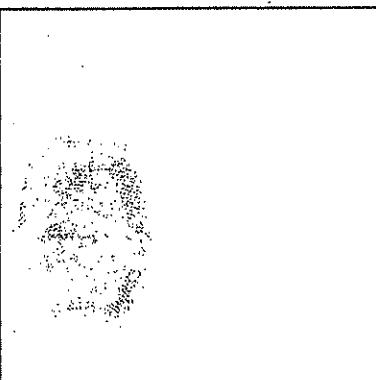
Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the court pronounced sentence as follows:

It being the judgment of this court that the defendant, PATRICK RYAN GREENWAY is guilty of the offense of Murder and that his punishment be by confinement in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a term of Twenty (20) years and by a fine of \$10,000, it is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Van Zandt County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE to begin serving his term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await his transfer to the penitentiary.

The defendant is given credit for 7-14-01 - 11-6-03 on his sentence for time spent in jail in this case between the date of his arrest and the date of sentencing.

Sentence was pronounced on November 7, 2003.

Signed and entered on this date: \_\_\_\_\_

  
TERESA A. DRUM  
JUDGE PRESIDING

Fingerprint taken from the  
RTH  
finger of the Defendant



**WILLIAM H. "BILL" RAY, P.C.  
ATTORNEY AT LAW  
5041 AIRPORT FREEWAY  
FORT WORTH, TEXAS 76117**

**(817)831-8383**

**FAX (817)831-8306**

September 8, 2004

Jenica Turner  
Wood County District Clerk  
PO Box 1707  
Quitman, Texas 75783

Dear Ms. Turner,

Several months ago, I requested that you provide the number of capital murder cases filed in your county in the last five years. You graciously provided that information on a form that I sent you, which indicated the number of cases filed by year. I have enclosed a copy of the form that you filled out and sent back to me.

What I would like to know at this point is what, if anything, has happened in each of those cases. I do not know the names of the persons who were charged because I did not ask for that information previously.

Please consider this an open records request for a certified copy of the judgment and sentence in each of those cases represented in our last correspondence, which are the capital murder cases filed in your office from 1999-2003, inclusive. If there is any charge, please contact me at the number above, and I will send the fee. If a case is still pending and thus has no judgment, I would appreciate it if you would write me a letter stating that fact. If the case has been dismissed, please send a certified copy of the dismissal.

Finally, I would appreciate it if you could provide me these documents on or before September 25, 2004, as I have a deadline.

If you have any questions, feel free to call.

Sincerely,

William H. Ray  
Attorney at Law

NO. 0885306D

THE STATE OF TEXAS ) IN THE 213TH  
VS. )  
 ) DISTRICT COURT OF  
BILLY JACK CRUTSINGER ) ) TARRANT COUNTY, TEXAS

BUSINESS RECORDS AFFIDAVIT

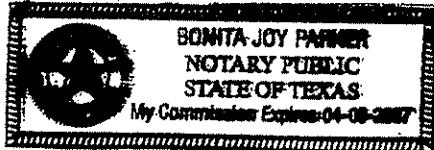
Before me, the undersigned authority, personally appeared NOVIS WISDOM, who, being by me duly sworn, deposed as follows:

"My name is NOVIS WISDOM, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:  
  
I am the custodian of the records of the District Clerk's Office of WOOD County, Texas. Attached hereto are 1 pages of information obtained from records from the District Clerk's Office of WOOD County, Texas. This information is kept by the District Clerk's Office of WOOD County, Texas in the regular course of business, and it was the regular course of business of the District Clerk's Office of WOOD County, Texas for an employee or representative of the District Clerk's Office of WOOD County, Texas, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit the information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The information contained in the attached page is obtained from the records in the District Clerk's Office and represents the exact number of capital murder cases filed for the years indicated in this county."

*Denis Wilson*  
AFFIANT

SWORN TO AND SUBSCRIBED before me on the 5 day of August, 2003.

*Bonita Joy Parker* NOTARY PUBLIC, STATE OF TEXAS



NAME OF COUNTY WOOD

CAPITAL MURDER CASES FILED IN THIS COUNTY BY YEAR  
INDICATED BELOW:

Fiscal Year	Number of Indictments filed for Capital Murder
2003	
2002	/
2001	
2000	
1999	

THE STATE OF TEXAS § IN THE 402ND JUDICIAL  
v. § DISTRICT COURT OF  
CHARLES ALAN HAMMER, § WOOD COUNTY, TEXAS 11/11/02  
DEFENDANT

SID: TX 05537054

JUDGMENT OF CONVICTION BY COURT;  
SENTENCE TO Institutional Division, TDCJ

DATE OF JUDGMENT: AUGUST 9, 2003  
JUDGE PRESIDING: G. TIMOTHY BOSWELL  
ATTORNEY FOR THE STATE: HENRY WHITLEY  
ATTORNEY FOR THE DEFENDANT: WM. BRANDON BAADE  
OFFENSE: CAPITAL MURDER  
STATUTE FOR OFFENSE: Article 19.03, Section (a)(2) AND (b), Penal Code  
DEGREE OF OFFENSE: Capital Felony  
APPLICABLE PUNISHMENT RANGE  
(including enhancements, if any): Life in prison  
DATE OF OFFENSE: JANUARY 25, 2002  
CHARGING INSTRUMENT: Indictment  
TERMS OF PLEA AGREEMENT  
(IN DETAIL): LIFE IN THE INSTITUTIONAL DIVISION OF  
THE TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE  
PLEA TO OFFENSE: Guilty  
PLEA TO ENHANCEMENT: Not Applicable  
PARAGRAPH(S):  
VERDICT FOR OFFENSE: Guilty  
FINDING ON ENHANCEMENT: Not Applicable  
AFFIRMATIVE FINDING ON DEADLY  
WEAPON: Yes-deadly weapon used or exhibited  
OTHER AFFIRMATIVE SPECIAL  
FINDINGS: Not Applicable  
DATE SENTENCE IMPOSED: AUGUST 9, 2003  
PUNISHMENT AND PLACE OF  
CONFINEMENT: LIFE in the Institutional Division-TDCJ, and a  
\$NONE fine  
TIME CREDITED TO SENTENCE: 2-1-02 through 8-9-03 (277 days)  
COURT COSTS: \$ 223.00  
TOTAL AMOUNT OF RESTITUTION: \$  
NAME AND ADDRESS FOR  
RESTITUTION:

The Sex Offender Registration Requirements under Chapter 62, CCP, do not apply to the Defendant. The age of the victim at the time of the offense was not applicable.

On the date stated above, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by the attorney stated above, and the Defendant and the Defendant's attorney, as stated above, were also present. Thereupon both sides announced

ready for trial, and the Defendant's attorney, and the State's attorney agreed in open court and in writing to waive a jury in the trial of this cause and to submit it to the Court. The Court consented to the waiver of a jury. The Defendant further waived the reading of the indictment and, upon being asked by the Court as to how the defendant pleaded, entered a plea of Guilty to the offense of CAPITALMURDER, as alleged in the charging instrument. Furthermore, as to the enhancement paragraphs, if any, the Defendant entered a plea as stated above.

Thereupon, the Defendant was admonished by the Court of the consequences of the plea(s); it appeared to the Court that the Defendant was competent to stand trial and that the defendant was not influenced in making said plea(s) by any consideration of fear or by an persuasion prompting a confession of guilty; and the Court received the free and voluntary plea(s), which are now entered of record in the minutes of the court. The Court proceeded to hear evidence from the State and the Defendant and, having heard argument of counsel, found there was sufficient evidence to support the Defendant's plea and found the Defendant "GUILTY" of the offense stated above, found it was committed on the date(s) stated above, and made a finding on the enhancement paragraphs, if any, as stated above. A presentence investigation report was not required or done. The Court then assessed punishment as stated above.

And thereupon the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded to pronounce sentence upon said Defendant as stated above.

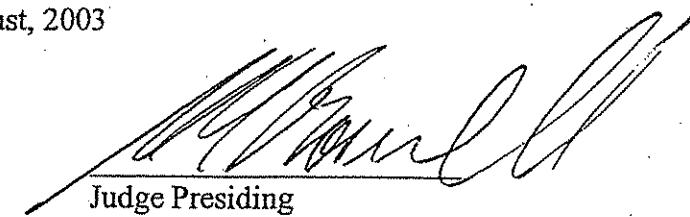
It is therefore ORDERED, ADJUDGED and DECREED by the Court that the defendant is guilty of the offense stated above, the punishment is fixed as stated above, and the State of Texas do have and recover of said defendant all court costs in this prosecution expended, for which execution will issue.

It is ORDERED by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of this county and be safely conveyed and delivered to the Director, Institutional Division-TDCJ, there to be confined in the manner and for the period aforesaid, and the said defendant is hereby remanded to the custody of the Sheriff of this county until such time as the Sheriff can obey the directions of this sentence. The defendant is given credit as stated above on this sentence for the time spent in county jail. The Defendant also is ordered to pay restitution to the person(s) named above in the amount specified above.

Furthermore, the following special findings or orders apply:

Pursuant to article 42.12, Section 3g, Code of Criminal Procedure & HB156 (77R) the court affirmatively finds that the Defendant used or exhibited a deadly weapon, namely, a knife, that in the manner of its use and intended use is capable of causing death and serious bodily injury, during the commission of a felony offense or during immediate flight therefrom or was a party to the offense and knew that a deadly weapon would be used or exhibited.

Signed on the 9th day of August, 2003

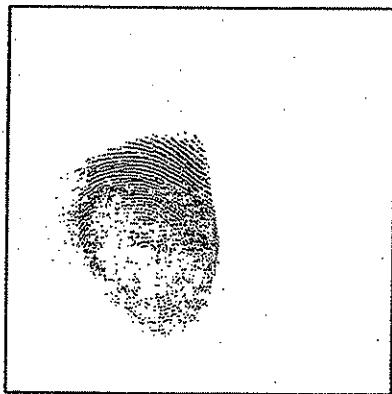


Judge Presiding

Person taking thumbprint:



Defendant's right thumbprint



STATE OF TEXAS }  
COUNTY OF WOOD }

I, Jenica Turner, District Clerk of Wood County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, on file in my office this 13 day of September, 2004.

Jenica Turner, District Clerk  
Wood County, Texas

By Ashley Wright Deputy

431

SO #: 13067

Date Compiled 2003 AU 08-11-2003

FILED

AM 8:53

NOV 10 2003 WISDOM CLERK  
WOOD COUNTY, TEXAS

CAUSE #: 17,065-2002

THE STATE OF TEXAS

X

IN THE 402nd JUDICIAL

v.s.

X

DISTRICT COURT OF

Hammer, Charles Alan

X

WOOD COUNTY, TEXAS

I do hereby agree that the following is an accurate summary of jail time for which I am to be credited in the above styled and numbered cause:

Charge: Capital Murder

Hold Placed Los Cruces, NM

02-01-02 thru 02-09-02 = 9 Days

02-09-02 thru 08-09-03 = 547 Days

Total Days Credit = 556 Days

Custodian of Records  
Wood County Sheriff's Office

Defendant

Criminal District Attorney

Attorney for Defendant

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THE STATE OF TEXAS § IN THE 402ND JUDICIAL  
V. § DISTRICT COURT OF  
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Case 4:07-cv-00703-Y Document 85-17 Filed 11/03/17 Page 100 of 101 PageID 7209  
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### Judge Presiding

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COUNTY OF WOOD }

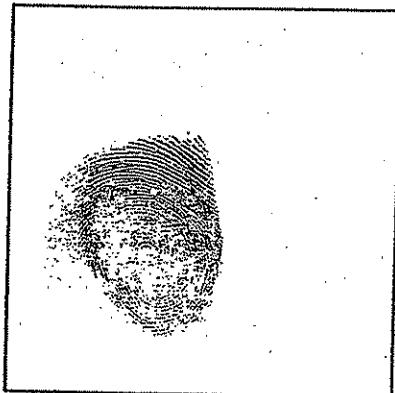
I, Jenica Turner, District Clerk of Wood County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, on file in my office this 21 day of September, 2007.

Jenice Turner, District Clerk  
Wood County, Texas

By *Barbara Hargrave* Deputy

Person taking thumbprint:

Defendant's right thumbprint



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